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House of Representatives

□ 2211

IN THE MATTER OF REPRESENTATIVE JAMES A. TRAFICANT, JR.—Continued

Mr. DELAHUNT changed his vote from “no” to “aye.”

So (two-thirds having voted in favor thereof) the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. The Clerk will notify the Governor of the State of Ohio of the action of the House.

GENERAL LEAVE

Mr. HEFLEY. Mr. Speaker, due to the significance of these proceedings and the desire of many Members to express their views on these grave and somber proceedings, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks for the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2003

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 497 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 497

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4628) to authorize appropriations for fiscal year 2003 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the

Central Intelligence Agency Retirement and Disability System, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 2215

The SPEAKER pro tempore (Mr. ISAKSON). The gentleman from Florida is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for purposes of the debate only, I yield the customary 30 minutes to the distinguished gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all

time yielded is for the purposes of debate only.

Mr. Speaker, this is the standard rule that we have used for many years on the intelligence authorization. As far as I know, it is not controversial in any way. As in past years, we have thought it best to allow Members good opportunity to review the bill and debate the issues they feel are important to our Nation's security. Of course, that is particularly appropriate now. Therefore, as has been the tradition, the rule is a modified open rule, providing for 1 hour of general debate, equally divided between the chairman and ranking member of the Permanent Select Committee on Intelligence.

The rule further provides for the consideration of only pro forma amendments for the purpose of debate and those amendments printed in the CONGRESSIONAL RECORD prior to their consideration, as we heard in the Clerk's reading. This has allowed for vetting of amendments regarding classified matters in years past and has proved to be good practice.

Finally, this rule provides for a motion to recommit with or without instruction. So I think it is a very clear, fair rule that suits the purpose well.

Mr. Speaker, just one year ago we met to consider this bill in the wake of the tragic terrorist attacks and rallied support for our intelligence community and national security initiatives. Our country has come a long way since then, but there is still a lot more that needs to be done. This year's intelligence authorization bill contains the most significant investment by the administration for the intelligence community in more than 8 years. This is an important bill. These funds allow the Permanent Select Committee on Intelligence to continue the work that we have been promoting to address many of the longstanding shortfalls that have besieged our intelligence community throughout the 1990s.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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In the upcoming general debate, we will discuss in more detail some of the specific provisions of H.R. 4628. However, I would like to briefly highlight a few of the critical areas upon which the Permanent Select Committee on Intelligence has focused in this year's bill.

We have further enhanced efforts to rebuild our Nation's human intelligence capabilities, human, spies; and shortfalls in the intelligence community's analytic core, more analysis; as well as addressing longstanding recapitalization needs for technical intelligence, heavy investment in important equipment. Of specific note are actions we are taking to address critical needs in the area of linguistic capabilities, people who speak the languages we need to understand. Addressing these critical areas is crucial to meeting our immediate counterterrorism challenges and to correcting our longer-range problems facing the intelligence community and the basic structure of the U.S. intelligence establishment.

The Permanent Select Committee on Intelligence continues bold initiatives on these points, knowing that true intelligence community reform will be necessary if our intelligence establishment is to successfully meet all of the national security challenges this Nation faces in today's puzzling and dangerous world. Through our regular oversight work and in our joint inquiry efforts with our Senate counterparts, the Permanent Select Committee on Intelligence is and will be further addressing the pressing need for appropriate intelligence community reform.

Meanwhile, this bill provides the President with the intelligence tools to win the war on terrorism and to remedy many other longstanding problems of the intelligence community, which we have pointed out several years in this process.

In sum, this is a good, noncontroversial, bipartisan bill with very few, if any, contentious amendments to consider. The rule that has been crafted for its consideration is fair and will provide ample opportunity for debate. I urge support for the rule and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume. First let me thank my good friend from Sanibel for yielding me the customary time. It is a pleasure to serve with the gentleman from Florida (Mr. Goss) on the Committee on Rules, and I look forward to rejoining him on the Permanent Select Committee on Intelligence in the near future.

Mr. Speaker, I rise in support of this rule providing for the consideration of H.R. 4628, the Intelligence Authorization Act for Fiscal Year 2003. The rule is a modified open rule, as Mr. Goss has said, requiring that amendments be preprinted in the CONGRESSIONAL RECORD. As we all know, the preprinting requirement for the intel-

ligence authorization bill has been the accepted practice of this Chamber for several years because of the sensitive nature of much of the bill and the need to protect classified information.

The underlying bill, H.R. 4628, is noncontroversial and it was reported from the Permanent Select Committee on Intelligence by a unanimous vote. Members who wish to do so can go to the Permanent Select Committee on Intelligence office to examine the classified schedule of authorizations for the programs and activities of the intelligence and intelligence-related activities of the National Intelligence Program.

This includes authorizations for the CIA, as well as the foreign intelligence and counterintelligence programs within, among others, the Department of Defense, the National Security Agency, the Departments of State, Treasury and Energy and the FBI.

I might add, for Members who have not done so at any point, as a Member having served most recently on the Permanent Select Committee on Intelligence and hoping to rejoin it again in the future, I would urge them to take advantage of the opportunity to review the programs and activities of the Permanent Select Committee on Intelligence.

Also included in the classified documents are the authorizations for the tactical intelligence and related activities and joint military intelligence program of the Department of Defense.

Today, more than ever, we must make the creation of a strong and flexible intelligence apparatus one of the highest priorities of this body. The terrorist attacks of September 11, combined with the continuing threat of further attacks, underscores the importance of this legislation, and I am pleased that it has been brought to the floor before the August recess.

Now, Mr. Speaker, while this bill is noncontroversial, it is not closed to improvement. Today is not the first time that I have noted on the floor that experts in the intelligence community continue to argue that our intelligence operations must not only be a strong and flexible intelligence apparatus, but also a diverse one. For the past 15 years, Members of the Permanent Select Committee on Intelligence and the directors of our country's largest intelligence agencies have labored to create a more diverse intelligence community. Although their efforts have borne some fruit, much more needs to be done.

Later this evening I will be offering two amendments to H.R. 4628, both of which are aimed at increasing diversity in our Nation's intelligence agencies. The first of the two amendments expresses the sense of Congress that the CIA, DIA, NSA and NIMA make minority recruitment a priority in their hiring decisions. Of the 13 agencies that currently make up the U.S. intelligence community, only the DIA boasts a minority population that even

comes close to the average percentage of minorities in the Federal workforce.

The second amendment instructs the Director of Central Intelligence to issue an annual report to Congress on the hiring and retention of minorities by the intelligence community. Such a report will allow this body to monitor the progress of the intelligence community's efforts to recruit and retain minorities.

I do hope that my colleagues will support both of the amendments, and I believe they will be supported, having spoken with the chairman in this regard.

Further, I would also like to urge my colleagues to support the amendment which will be offered by my good friend, the gentleman from Indiana (Mr. ROEMER), and he is my good friend.

The Roemer amendment establishes an independent commission to examine the events leading up to and ensuing the September 11 attacks. Though later this week the House may pass a bill creating a new Department of Homeland Security, the bill will in no way identify nor fix the problems that currently exist in the United States intelligence community. The Roemer amendment, in examining the intelligence failures of September 11, will provide a comprehensive examination and critique on this issue, and I urge my colleagues to support it.

Mr. Speaker, H.R. 4628 provides authorizations and appropriations for some of the most important national security programs in this country. Any hesitation by this body in passing it would be a disservice to the American people.

I urge my colleagues to support this rule, and I ask that they support my amendments, the Roemer amendment and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Mr. GOSS. Mr. Speaker, I am privileged to yield 5 minutes to the gentleman from New York (Mr. BOEHLERT), the chairman of the Committee on Science and a member of the Permanent Select Committee on Intelligence.

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Speaker, I thank the gentleman for yielding me time, and I rise in support of a very fair rule.

Mr. Speaker, this bill is complex in its specific recommendations, but simple in its intent: To restore our Nation's intelligence capabilities so that we can absolutely minimize the possibility of another surprise terrorist attack on our homeland. Our goal; no more surprises, no more attacks.

The President is absolutely correct; homeland security is and must continue to be the number one priority of government at all levels, and the first priority of the Federal Government is to guarantee, as much as humanly possible, the peace and security of the

American people. They, we, all of us, have a right to live our lives without fear.

The largest increase in spending for our national intelligence activities in over a decade is provided for in this bill.

□ 2230

For the first time in many years, the administration has requested an increase in intelligence operations and capabilities. We are providing the total funding the President requested, placing greater emphasis on areas which require the most attention.

Specifically, this bill addresses not just with words, but with deeds, dollars to back up what we say: the shortfall in human intelligence with essential language capabilities. We must aggressively pursue a program to significantly increase a number of foreign language-qualified individuals in the intelligence community. It adds significant funding for initial and follow-on training for linguists, and there is a provision to create a new language university for the entire intelligence community.

I believe this is critical to developing the human intelligence officers of the future that will be able to collect and, more importantly, analyze information on those who would pose a threat to the United States of America. It does not serve our national interests if we are the best at collecting intelligence if we are lacking in our ability to analyze and disseminate to decision-makers sensitive information in a timely manner. That possibility exists today because of our deficiencies in language capabilities.

This bill takes on, in a very direct way, the issues of intelligence, collection, analysis, and production against threats of terrorism. We do so by placing added emphasis and resources where I think they are most needed: on human intelligence, our eyes and ears with a global reach.

Let me state the obvious. It does not do much good if we have the right people in the right places dealing with collecting or analyzing if they do not have the language ability to understand what is being collected or what is being analyzed.

Mr. Speaker, as I said, the intent of this bill is simple. It is designed to provide the necessary resources, direction, and authorizations for the Nation's intelligence community to provide the best foreign intelligence possible to defend the United States against the many worldwide threats. The threats are not going to go away; and from my days as a boy scout, I know we must be prepared.

Mr. Speaker, I will close with a thank you. Thank you to the dedicated men and women of the U.S. intelligence community. We owe them a debt of gratitude for the tough and unheralded work they do for all of us. The memory of a failure of intelligence to present something as horrific as

September 11 will forever be seared in our minds. It is important to never forget the untold numbers of threats that never materialized into anything but words, with no action following, because of the endless number of intelligence success stories where the system worked as intended.

The system is not perfect; it probably never will be. But we must continue to strive for perfection. This bill is a contribution toward that end. Thank you, all of you, in the intelligence community for quietly being there, working behind the scenes, to discover and counter the threats to our security and our liberties.

I also want to thank the committee chairman, the gentleman from Florida (Mr. GOSS), and the ranking member, the gentlewoman from California (Ms. PELOSI), for their leadership and hard work on this bill. And I want to express my respect and admiration for my colleagues on the Permanent Select Committee on Intelligence and their very able professional staff. They work hard, very hard for the cause.

Mr. Speaker, I urge my colleagues to support H.R. 4628.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 5 minutes to the distinguished gentleman from Georgia (Mr. BISHOP), my good friend, and he is my friend.

Mr. BISHOP. Mr. Speaker, I appreciate the gentleman yielding me this time and recognizing me.

I want to talk about the need in this bill and in our intelligence community for diversity. Intelligence and the intelligence community has a mission for providing the best real-time information for our policymakers and our warfighters. It is about information. It is about having a heads-up; and if 9-11 has taught us anything, it certainly has taught us that we need to have a heads-up.

All of the professionals, as has been stated already, have indicated to us that if we are to be the best that we can be in our intelligence community, we must have the best human assets for collecting information and the best technical assets for collecting information; and we must be able to process, analyze, and disseminate that information where it needs to go.

But the problem that we face, the challenge we face, is that as hard as the men and women in our intelligence community are working to gather the necessary information so that when our servicemen and women go into harm's way they know what they will be facing, we still do not have adequate human assets and the kind of technical analysis assets that will allow us to have the information that we need real-time.

Why should we not have diversity in the intelligence community? Every intelligence professional, the heads of the CIA, NSA, DIA, NIMA, Army intelligence, naval intelligence, all have indicated that we will be much more effective in our collection by our human

assets, if our targets are hard to distinguish from our collectors. So if we need to have information about Islamic culture, our intelligence collectors need to be knowledgeable of that. Yes, if we are going into Rwanda and we need information of what is happening there, maybe some Rwandan-Americans ought to be a part of our collection force, Somalians or Pakistanis or Afghans or Africans or Latinos; Asian Americans, Arab Americans, Indian Americans, Mexican Americans, Cuban Americans, Turkish Americans, Nigerian Americans, Muslim Americans, Christian Americans, Jewish Americans, Irish Americans, human assets. We must have racial diversity, cultural diversity, and language diversity if we are to be effective in our efforts.

When we put the men and women who fight and defend this country and who go all over the world protecting American interests, when we put them in harm's way, they need to know what they will be faced with, and the policymakers who send them there need to have that real-time information; and they need to have the best quality information. They need to be able to penetrate the sources of the information so that we can, indeed, have a heads-up.

The creation of a more diverse intelligence workforce must be a priority, the intelligence agencies, the undergraduate training programs that use these programs to increase their minority efforts. I was proud this morning to be able to go out to one of the agencies and participate in the graduation ceremony of one of the programs designed to help create that diversity. But this is a start. We have a long way to go. We have challenges that we face, and unless we accelerate our efforts to create and maintain the kind of diversity in our intelligence community, we will not achieve the success that we desire.

Racial diversity, cultural diversity, language diversity are necessities. They not only are the right thing to do, but they make good business sense for gathering and disseminating and analyzing and understanding the information that we must have.

Mr. Speaker, this is a good rule; this is a good bill. With the amendments, it will be a better bill; and I urge my colleagues to support it so that we can have the best intelligence-gathering apparatus that our country can possibly have.

Mr. GOSS. Mr. Speaker, I am very happy to yield 5 minutes to the distinguished gentleman from California (Mr. CUNNINGHAM), a very valued member of our committee.

Mr. CUNNINGHAM. Mr. Speaker, it is an honor to serve on the Committee on Intelligence with Members on both sides of the House. I also sit on the Subcommittee on Defense of the Committee on Appropriations, two committees I think that work together in this House, together for national security and the best interests of the American

people. That is why most of us came here, and we wish that all committees that we served on have that decorum to work in a single direction. It makes my heart soar like an eagle to serve on those kinds of committees and do the people's work.

I think when we look at what the committee does, and the gentleman from Florida (Mr. GOSS), the chairman of our committee, and I have seen chairmen and leaders that micromanage; he does not. He kind of gives you the reins and he says, go out there and do your thing and do it for the betterment of both sides of the aisle and the American people. He does not micromanage; he gives us that free rein and for that I thank the chairman.

The committee staff, I want to tell my colleagues that each Member has a right to go to the committee staff and get these briefings. I would recommend that my colleagues do it; and these staff members, some are the James Bonds of the world. Some work in technology; some work in administration. But if my colleagues want a brief on any area, ask, and they will be delighted to give it. That is the kind of committee that we serve on.

A good example is that if you are going to best determine what the needs of the future, whether it is in defense or whether it is our intelligence agencies, you need to be able to know for a fact what the current threat is.

I see the gentleman from Washington (Mr. DICKS) and he looks to the B-2, because he knows what the future threat is, the F-22.

So if we know what the threat is today through our intelligence agencies, then we know better what to plan. For example, why do we need a B-2 and its effectiveness with stealth? Why do we need the F-22? In my opinion, we ought to double the buy, because it is the only airplane in the system that can meet the threat of the SU-30 and the SU-37 and plus whatever they have now. If we shorten that buy in defense, as some are talking about in the White House, I think it is foolhardy.

But the basis that we get in this committee in a bipartisan way to go forward with national security needs is laudatory.

I would tell my colleagues that when people start going after defense, or they go after our intelligence services, most of us on the committee get very defensive. Because as a body, this body and the other body, in many cases we have not given our military or intelligence agencies the assets they need to do the job.

In the last administration, we went on 149 deployments. That spread our military thin. We only had 22 percent re-enlistment, and people were stretched, and 25-year-old airplanes were stretched. The reason I bring it up is because every time we deployed, our intelligence agencies had to deploy also, and many of the systems that they had on the drawing board to give us SIGINT and ELINT and HUMINT in-

formation had to be scuttled because it went to pay for the war.

This committee, in a bipartisan way, is attempting to rectify some of those things. We cannot make that up over the next 5 years. But the committee is doing the best they can, based on the testimony from our services. That is why it is such a neat deal to work on this committee. We are doing something very, very positive and something good for this country.

Is the war on drugs dead? No. But we have problems there as well as with al Qaeda.

Mr. HASTINGS of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. GOSS. Mr. Speaker, I am happy to yield 2 minutes to the distinguished gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Speaker, I rise in support of this rule and this bill. No one is more qualified to guide our intelligence legislation than the gentleman from Florida (Mr. GOSS). Our intelligence community grew from World War I and the Cold War to be supremely able to monitor foreign militaries and governments.

□ 2245

No more Pearl Harbors and powerful support to the war fighter. I served for 13 years as a reserve Naval intelligence officer and received vital intelligence that saved American lives in Haiti, Bosnia, Kosovo and Iraq.

Our intelligence community must now be upgraded to meet the terrorist threat. Our system is supremely designed to monitor foreign militaries, but has left ability to monitor clandestine terror organizations backed by familiar relations. We must upgrade our linguistic defenses. We have Russian linguists but now need to speak Pastoon, Dari, Urdu and dozens of other languages where terrorists are recruited from. Our defense language institute in Monterey will play a key part of that role.

Analysts now receive huge numbers of messages but they need back up to rapidly translate and analyze information to develop actionable intelligence in time. We are all aware of the failures of September 11. We should know more about the successes of the intelligence community in defeating the millennium bombers and Hezbollah in Bosnia or dozens of other victories won, but not reported on the front page of The Washington Post.

I want to thank the professionals from DIA, CIA, NSA, NIMA and the military services who are on watch tonight protecting America. This bill provides critical resources and, more importantly, new flexibility to meet the new challenge. We face terrorists, wealthy terrorists who may one day have weapons of mass destruction. Without the intelligence community, we would some day face a nuclear Pearl Harbor. With the community we will extend security and freedom for our people and allies. I urge adoption of the rule and the bill.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, at this time in the interest of all the Members tonight, in spite of the fact that I feel I could talk about this matter for a substantial period of time, I would just urge the Members at this time to vote for this good rule and for the underlying bill which serves a great purpose for our Nation.

Mr. Speaker, I yield back the balance of my time.

GENERAL LEAVE

Mr. GOSS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 497.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would echo my colleague and friend's sentiment. This a fair and good rule. It deserves everybody's support.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. TAUZIN). Pursuant to House Resolution 497 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4628.

□ 2248

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4628) to authorize appropriations for fiscal year 2003 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with Mr. ISAKSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Florida (Mr. GOSS) and the gentleman from Georgia (Mr. BISHOP) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. GOSS).

Mr. GOSS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise this evening in very strong support of this bill, which is the annual authorization for intelligence and intelligence-related activities, as required by law. This is a unique authorization bill in that sense.

This is a very good bill that was crafted on a bipartisan basis. In fact, I think it more appropriate, I should say, nonpartisan basis. And it passed unanimously from our committee.

This would not have been possible without the attention and involvement of all of our stellar members, and I truly mean that, but especially the tireless efforts of our ranking member, the gentlewoman from California (Ms. PELOSI), who, I am sorry to say, is on other duties before the Committee on Rules now which is never a great place to be if you can be on the intelligence community.

I cannot say enough about her support and guidance in this process, all in the spirit of ensuring that our intelligence community is positioned in the best possible way to protect our Nation. I want to thank the gentlewoman for the number of hours that she has contributed to the committee's all-important work and for the good nonpartisan work you do and for the leadership she provides for her side.

Mr. Chairman, this bill turns a corner on rebuilding our intelligence capabilities. The administration has requested a significant amount of investment into these capabilities which is frankly long overdue. More importantly, the bill lays the groundwork for sustained investment in programs that will take a while to rebuild, but they are crucial, absolutely crucial to our success against today's and tomorrow's threats, which we have begun to better recognize and this bill begins to address some of the issues that have heretofore been placed on a back burner, despite the fact that some of us have been urging they be moved to a more forward place.

In some ways, I see this bill as emphasizing the needs to get back to the basics of intelligence. Often of the last decade especially, many have gotten overly enamored with technology and finding ways to collect data with the least amount of risks, the intelligence version of the no-casualties policy.

Although, I will be the first to emphasize the need to keep on top of various technologies and the importance of them to our intelligence capabilities, our real security relies on some of the most fundamental aspects of intelligence. Unfortunately, Mr. Chairman, despite our concerns and warnings, we learned in a very tragic way how important these fundamentals really are, notwithstanding the extraordinarily good work a great many men and women representing our country are providing for us around the world in the intelligence community.

The terrorist attacks on September 11, 2001 were well conceived; they were coordinated; they took advantage of liberties that we have come to rely on in our quality of life in this country. That also confirmed our fears that the world is, indeed, a very dangerous and very unstable place. And for the committee it unfortunately proved our worst fears that the Nation's intel-

ligence community was not sufficiently robust or positioned to provide the first line of defense we need and do count on.

Mr. Chairman, the price was much too high, and we owe it to those who lost their lives, some of whom were members of the intelligence community, I might add, to make sure we rebuild our capabilities and our people to the best of our ability is the mission of this bill.

Other members of committee will highlight certain provisions of the bill, so I am not going through them. I will make the point, however, that certain lessons are involved in the getting back to the basics part of this. They include: That the way to gain the most vital information, plans and intentions of the enemy, what they are actually thinking of doing, is more often than not to be physically close to the target, that is the right way to do it, whether that is through the human agent assets or assets of other types, like technical assets or such things an unmanned aerial vehicles or manned aircraft, even.

This involves taking risks, both in terms of who you may have to work with and in terms of, frankly, potential loss of life and tragically we have seen casualties in the intelligence community in the war on terrorism this year.

Once you collect that data, you have the mechanisms and capabilities to analyze, understand and use the data, get it to the right people in a timely way, and that involves having the right people with the right training and the right skills and armed with the right tools to make sure those who get that information can get it, and the right management and guidance are available to you through the intelligence community, and that community is structured in such a way to allow the management to be effective.

Those are all things that we need to work on.

Mr. Chairman, this bill addresses many of these basics, save the structure question. And I want to emphasize that this is a task that is yet to be completed, but is every bit as important as the investment in the basics. This is an area that the committee hopes to address soon as has actually been somewhat sidetracked because of the 9-11 review, but it remains a major priority on the House Permanent Select Committee on Intelligence to deal with the intelligence architecture.

Before I close, let me recognize two groups of people. First are the men and women of the intelligence community whom I referred to previously who are working tirelessly around the globe, and they are doing everything they can to protect us. They work 7-24, and they working in dangerous conditions and not very nice conditions and they do things that a lot of us would not be very happy to do, and they take up that work. They are the front lines of America. They are remarkable people. I think anyone on the committee would tell you, we owe them a great

deal of gratitude and thanks. And I am sorry we cannot actually reveal some of the exploits and success of these people because it would make Americans proud, as it makes us on the committee proud when we get to know these things.

The second group of people is close to home, Mr. Chairman. We would not be here tonight if it were not for our committee members and our committee staff. I have spoken my in the committee and my membership, my vice chairman, the gentleman from Nebraska (Mr. BEREUTER) who does a great job taking care of me and pinching for me, and all the other members of committee. We have now broken down into subcommittee so we have more subcommittee chairman and ranking members and everybody has risen to the occasion and the extra tasks that our committees this year has been asked to take.

We have expanded by something like 25 percent in terms of our membership and staff. We have been given many extra responsibilities because of 9-11 and everybody has risen to the task. I must say the committee staff has impressed me every day. When I arrive at the committee, I admire their work ethic and their understanding of the very complex and arcane activities of the Intelligence Community. I think they represent the committee and Congress very well. Special thanks to staff director Tim Sample, Mike Sheehy, the senior minority staffer who worked to make sure the functions of the committee occur in the least partisan atmosphere possible. And I am extremely proud of that accomplishment on their part. Thank to Chris Barton, our chief counsel, and Chris Healey, a minority counsel, as well as Michele Lang, our deputy chief counsel, and Mike Meermans, our budget coordinator for their tireless work on preparing this bill.

Obviously, each and every person on this staff beyond those I named deserve our thanks and praise for jobs well done.

In the atmosphere I want to particularly thank our security staff who have been given some extraordinary problems to cope with and I think have done an amazingly good job. Mr. Chairman, I ask my colleagues to support this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 4628. The committee has worked hard to provide the resources that our military forces and the intelligence community require in order to prevail in the war on terrorism and to safeguard all of our other national security interests.

This is a bipartisan bill for which the gentleman from Florida (Mr. GOSS), the ranking Democrat, the gentlewoman from California (Ms. PELOSI), my counterpart on the technical and

tactical subcommittee, the gentleman from Delaware (Mr. CASTLE) and all of the other committee members deserve great credit.

I want to thank the committee staff for the tireless hours and the hard work that they have put into the preparation of this bill. It is a good bill. And I urge all of my colleagues to support it.

I want to emphasize a few points to my colleagues in the House as well as the administration about what the bill accomplishes, as well as some of my concerns for the future.

As is well known from press accounts, unmanned aerial vehicles performed superbly in Afghanistan. With some exceptions in the past, reconnaissance systems flew over or passed the battlefields in a matter of seconds or minutes, and therefore provided only a sort of snapshot of what was going on. Given the time delays in getting that information to our tactical forces, it was extremely difficult to attack mobile targets. What these UAVs provide is persistence, a constant presence. Once targets are detected, UAV's can loiter and track them until an attack can be mounted as demonstrated repeatedly in Afghanistan.

Now the Secretary of Defense and the Chairman of the Joint Chiefs are advocating adding persistent surveillance capability from space. For example, by launching many small radar satellites that can detect and track moving vehicles. I believe this is the direction next generations collection systems must take. DOD is also right to plan on buying many UAV's and equipping them with capable sensor, but so far DOD has failed to plan to buy the communication and ground processing capacity necessary to support these platforms.

□ 2300

This makes no sense and clearly it must be corrected.

The war also showed that no single sensor system alone is able to perform all of the functions necessary to attack mobile targets, wide area surveillance, target detection, identification, tracking and precise target location. The only solution is to work the separate sensor systems together in a network. Building this network of sensors is feasible and it is very affordable, but although DOD appears to understand its importance, progress has been slow.

I was disappointed that the administration, despite the large budget increases, failed to request sufficient funds to support the contract award for NIMA's modernization program. The committee corrected this problem by redirecting other funds to that area. The committee also added funds to begin acquiring the capability to receive and process airborne imagery.

I am encouraged with regard to commercial imagery by the NIMA director's progress in developing a rational strategy for the first time. However, NIMA to date has received funding adequate to support only one satellite col-

lection company but no policy guidance to rely on a single source. If NIMA is to support multiple companies and meet DOD's readiness requirements for geospatial products, NIMA must receive more funding. It is as simple as that. That key issue must be resolved, and it must be resolved soon.

Finally, a word about the National Security Agency. Unfortunately, NSA's serious acquisition management problems persist, preventing the agency from keeping pace with the global telecommunications industry. These problems contributed to limiting NSA's operational capabilities in key areas relevant to the war on terrorism and other so-called transnational threats as noted in the report of the Subcommittee on Terrorism and Homeland Security on the events of September 11. NSA's problems could have very serious consequences and, in my opinion, demand more attention from the Secretary of Defense.

Mr. Chairman, I reserve the balance of my time.

Mr. GOSS. Mr. Chairman, I am privileged to yield 3 minutes to the gentleman from Nebraska (Mr. BEREUTER), the distinguished vice-chairman of the committee, who also takes care of all of the policy coordination on our committee, which always dazzles me.

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Chairman, this Intelligence Authorization Act addresses a number of pressing intelligence needs. For example, the legislation takes steps to strengthen the intelligence community's absolutely critical analytical core.

In recent years, the U.S. has been forced to focus on terrorists, proliferators and drug traffickers. These are far more difficult targets to track, and frankly, the intelligence community took too long to adapt to these new threats. It did not reach out aggressively to recruit the human intelligence sources that could have provided us with invaluable information. We lost far too many skilled analysts whose job was to provide early warning.

This legislation provides much-needed funding to help rebuild a dynamic, wide-ranging, global analytical capability. It is an effort for which this committee has been serving a leading role for some years now.

A second important component of the Intelligence Authorization Act relates to terrorist finances. One of the major intelligence initiatives in the wake of 9/11 has been a serious effort to attack the financial assets of terrorist organizations and their supporters. Terrorist networks such as al Qaeda obviously cannot function without significant financial backing.

Al Qaeda, for example, is supported by, one, a shadowy network of fundraisers, money lenders and shakedown artists; two, businesses and charities serving as front organizations; and

three, unscrupulous facilitators and middlemen. However, with the decision of the executive branch to fully exploit its existing authorities to target terrorist finances, and with the granting of additional authorities under the U.S. PATRIOT Act, we are now aggressively attacking the money flow. To date, over \$100 million in suspected terrorist money has been seized or frozen by the United States and its allies.

Mr. Chairman, this is an important and powerful set of financial tools in the war on terrorism.

Mr. Chairman, there are other important initiatives here, but I want to say that I think one of the important things that we have done is close an important loophole caused by the Freedom of Information Act. Our adversaries were able to make requests that had to be dealt with for very sensitive information, and we have taken a commonsense approach to ending that loophole.

Mr. Chairman, I would conclude by congratulating the gentleman from Florida (Mr. GOSS), the chairman of the committee and the distinguished gentlewoman from California (Ms. PELOSI) for the leadership they have demonstrated in bringing this genuinely bipartisan product to the floor. This legislation is a very serious effort and was unanimously approved by the Permanent Select Committee on Intelligence.

Each and every member of the committee and our extraordinary staff dedicated long hours to the hearings and drafting of the bill. Each Member, I think, and the staff clearly recognizes the importance of our actions and our responsibilities to the body, and I think my colleagues can take, if I may say so, justifiable pride in the efforts of HPSCI and our staff and particularly the leadership of the gentleman from Florida (Mr. GOSS) and the gentlewoman from California (Ms. PELOSI).

Mr. Chairman, I urge strong support and the adoption of H.R. 4628.

Mr. BISHOP. Mr. Chairman, I yield 3¼ minutes to the distinguished gentlewoman from California (Ms. HARMAN), the ranking member on the Subcommittee on Terrorism and Homeland Security.

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Mr. Chairman, I thank the gentleman for yielding commend him for his leadership on the Subcommittee on Technical and Tactical Intelligence, and commend our colleagues for their strong bipartisan contributions to this committee.

I rise in strong support of the Intelligence Authorization Act and join others in expressing my pride in the bipartisan way in which this committee works. For those who question whether this House can tackle the tough ones, tonight proves it. Our actions over the past three hours in the Traficant matter were a somber and clear example of bipartisanship and facing up to our responsibilities. This bill is another such example.

Members of this committee have traveled all over the world and have met U.S. intelligence personnel working in many shabby and often dangerous conditions. They do this despite their family's understandable fears that they are in harm's way. This bill is designed to give good people better tools, to fill gaps in performance. It is not about gaps in the dedication, commitment and patriotism of thousands of Americans who work in the intelligence agencies, both here and abroad.

Many issues addressed in this bill, Mr. Chairman, were identified in a report that our Subcommittee on Terrorism and Homeland Security released last week. Our full intelligence committee wants no time to elapse before implementing that report's recommendations, and this bill recommends action, action that the families of those who died on 9/11 deserve.

Our report said, for example, that inadequate penetration of the al Qaeda target stemmed in large part from too few resources devoted to counterterrorism and an overreliance on assistance from allies to collect information. We fix that in this report; we insist that we invest more resources in human intelligence (humint), and we spell out how that should happen.

Penetration of the al Qaeda target, our report says, requires multiyear investment and cutting edge technologies. This bill directs that mission-critical technology is available and improved.

Our report said that watch lists were inadequate. This bill calls on the intelligence community to provide global coverage and common access to information, which should help fix the watch list problem.

Our report said that we were concerned about the HUMINT career structure. Too often, individuals get promoted based on their broad and general knowledge in wide-ranging areas. Those who stay focused in one area or even one country, where an understanding of local political conditions is key to our fight against terrorism, are not being given the credit or rewards deserved. This bill recommends that those rewards be given.

Regrettably, there is a huge language problem. This bill addresses that problem.

As in past years, this bill also expresses continuing concern about the organizational framework in place to produce intelligence capabilities that can meet future national security demands. This bill addresses that problem.

□ 2310

Mr. Chairman, our language is terse, our calls for reform are urgent, but we also state that "the successes of the intelligence community normally go unnoticed for obvious and correct reasons . . . The problem is not with the individuals, but with the tools and the organization with which they work."

This is a good bill. I urge its support, and I urge support later this week for a bipartisan homeland security bill.

Mr. GOSS. Mr. Chairman, I am pleased to yield 3½ minutes to the gentleman from Delaware (Mr. CASTLE), the chairman of the Subcommittee on Technical and Tactical Intelligence, and former Governor of Delaware.

(Mr. CASTLE asked and was given permission to revise and extend his remarks.)

Mr. CASTLE. Mr. Chairman, I thank the gentleman for that introduction and for yielding me this time.

Mr. Chairman, I rise in strong support of H.R. 4628, the fiscal year 2003 intelligence authorization bill. Before I move to the substance of my statement, I would like to recognize and commend the gentleman from Florida (Mr. GOSS), the chairman of the committee, and the ranking member, the gentlewoman from California (Ms. PELOSI), for the outstanding leadership they have provided to the Nation and particularly to the intelligence community during this past year.

This has been a difficult time for our intelligence community. There have been failings, but there have been many successes that have not and should not be publicized. The gentleman from Florida and the gentlewoman from California have been at the forefront of efforts to ensure our professional intelligence offices get the resources necessary to do their vital work for our national security. I thank them both.

Mr. Chairman, those of us on the Permanent Select Committee on Intelligence are among the few who understand that the world has not changed, despite the tragedy that befell us on September 11. We have been painfully aware for a long time that while many regions of the world are working together with us to promote peace and stability, there are many elements that are committed to undermining such efforts.

We are intimately familiar with the difficult tasks our intelligence professionals are up against, and, moreover, with the outstanding work they do day in and day out around the globe. For all they do, I would like to extend my gratitude to them for all their unheralded successes.

Oddly, their past successes have resulted in the American public having a combination of a low awareness of the magnitude of the threats and the high expectation that the intelligence community would always be able to counter them. The difficulty of such a task is daunting. What makes this intelligence community all the more special is that they have done as well as they have, in spite of years of resource neglect.

This year's funding request begins to restore the capabilities that have withered over the years. Today, the intelligence community's challenges remain large, but we will continually assess the intelligence community's ability to meet their challenges. Because this year represents a significant point in our history to consider the priorities

and needs for intelligence activities and set a new course for the future, I am particularly concerned with how much the strategic vision has been dedicated toward our future collection needs and systems, and, more importantly, whether the administration is willing to sustain the investment through the duration necessary to deliver the new capabilities.

As chairman of the Subcommittee on Technical and Tactical Intelligence, I understand the critical need to invest in and modernize our technical intelligence systems. These systems take years to field and tens of thousands of highly skilled scientists and engineers to complete. In this bill, I am happy that we address the resource strain of the legacy programs in hopes that we avoid sacrificing our future.

I am concerned that the U.S. technology industry has not held itself to a high enough standard of accountability. When the country needs special capabilities, we cannot be held captive to a single contractor, regardless of their performance, simply because there are no alternatives. I believe even the intelligence community must take some calculated risks in order to ensure we acquire the kinds of capabilities that future threats demand. The bill before us details how we intend to ensure the country is on an appropriate and sustainable technology path for the future.

Although this budget represents a significant increase over the past years, we need to support it with the full knowledge and understanding that there is a great deal more work to be done. Rebuilding the intelligence capabilities of the United States is not going to be done with a single budget. Congress and the American people need to understand that these threats against our Nation will not be eliminated with the demise of al Qaeda. In order to close the gap between demands on intelligence and the complexity of the current and future threats, we must commit to a long-term intelligence capability restoration.

The next attack against us may be to undermine our confidence in some critical part of our infrastructure, or may be chemical or biological warfare. We do not know. But what we do know is that the threats are real and we need to act accordingly. Mr. Chairman, this bill is a downpayment to provide our senior policymakers with the capabilities and tools for the near term. It is a responsible, reasonable, and appropriate request to fund our Nation's national security needs.

The President, our policymakers, our military, the people of the United States, and al Qaeda deserve nothing less; and I ask the Members of the House to give H.R. 4628 their full support.

Mr. BISHOP. Mr. Chairman, I am pleased to yield 3 minutes to the distinguished gentleman from Indiana (Mr. ROEMER), who is a very hard-working member of the Permanent Select Committee on Intelligence.

Mr. ROEMER. Mr. Chairman, I thank my good friend from the State of Georgia for yielding me this time; and I want to note, as some of my colleagues may have, that this is the first entire budget put together by the United States Congress since the horrific attacks on our people, our homeland, and our country on September 11. I could not be more proud to serve in this Chamber and with the people that have put this intelligence budget together: our chairman, the gentleman from the State of Florida (Mr. Goss), who it is a pleasure to work with; the gentlewoman from California (Ms. PELOSI), who provides such strong leadership; the other members of the committee, who do such honorable work; and the bright and dedicated staff that we serve with and who serve us so well.

Mr. Chairman, we have debated many bills this year. I am not sure we will debate a more important one for the security and the strength of our Nation. I want to thank the intelligence community for the hard work they do, the work on U.S. goals, U.S. programs, U.S. policies, and U.S. interests. Every day they make us a little bit more secure.

I want to say, too, Mr. Chairman, that the events of 9-11 may not have been absolutely preventable; but mistakes were made, failures were made, there were gaps and cracks that the snakes crawled through on 9-11, and we intend to fix them and to close those gaps. There are too many stovepipe agencies that make communication difficult across agencies, there is still too much outdated technology, there is still too many old structures and cultures, there is not enough emphasis on human intelligence and language skills and analytical capabilities; and we need to work on ways to turn information into knowledge to help mitigate and prevent future attacks.

This bill takes significant steps forward in those areas. But there is a very important caveat written in our report that I encourage all Members to read on page 13: investment, but not in old structures. New resources, but not toward old ideas and old mistakes.

We say on page 14, and I quote, "The committee must emphasize, however, that investment alone, without reorganization or reform of some of the basic components and practices of the intelligence community, will not provide effective national intelligence capabilities."

President Lincoln, in one of the most dire times in our Nation's history, when we were fighting in the Civil War, said, "As the times are new, we must think anew and act anew." That is certainly the challenge today as we are in a global war on terrorism. Let us think in new ways to reform the old structure and make it new so that these investments in language, in analytical capabilities, and in human intelligence pay off and make our country stronger.

Mr. GOSS. Mr. Chairman, I am very pleased to yield 4 minutes to the dis-

tinguished gentleman from Georgia (Mr. CHAMBLISS), the chairman of our Subcommittee on Terrorism and Homeland Security, and the partial author with the gentlewoman from California (Ms. HARMAN) of the recent report that has been well received on the first outing of our efforts on counterterrorism.

(Mr. CHAMBLISS asked and was given permission to revise and extend his remarks.)

Mr. CHAMBLISS. Mr. Chairman, I thank the chairman for yielding me this time, and I say to my chairman and our ranking member what a great job they have done in leading our committee; and to the staff, I do not think I have ever worked with a greater staff on both sides of the aisle than what we have in the Permanent Select Committee on Intelligence, and I thank both for that.

To my ranking member on my subcommittee, the gentlewoman from California (Ms. HARMAN), who has been such a great partner in this effort to fight this war on counterterrorism, what a great partner she has been in this.

I rise today in support of H.R. 4628, the Intelligence Authorization Act for fiscal year 2003. As chairman of the Subcommittee on Terrorism and Homeland Security, I have spent considerable time these past months reviewing the capabilities, gaps, and needs of the intelligence community. In fact, last Wednesday we released the unclassified summary of our report to the Speaker on gaps in counterterrorism capabilities at CIA, FBI, and the National Security Agency.

□ 2320

It is true that the community was not adequately prepared for the events of September 11, 2001, and the report was very critical in some areas. By and large we found that in spite of the best efforts of this body and the many hard-working rank-and-file on the front lines in the intelligence community, not enough resources and effort were dedicated to key mission areas, such as HUMINT and SIGINT over a protracted period of time.

Available resources, moreover, were sometimes redirected by senior community managers away from core collection and analytic activities to feed a growing bureaucracy at headquarters.

There were not and still are not enough CIA agents on the streets of the world collecting against our enemies. NSA's signals intercept and exploitation capabilities, once second to none, are now badly in need of retooling.

There are insufficient foreign language capabilities, both to conduct effective intelligence operations against terrorists and to exploit material acquired in such operations.

The FBI lacked analytic capability to enable it to pursue preventive measures rather than simply to respond to

crimes that have already been committed. And no one was sharing information in such a way that all the consumers with a need-to-know actually got everything relevant to their responsibilities.

While no single authorization bill can hope to fix all of these problems, H.R. 4628 will give the community the means to get its collective house in order by addressing the most pressing of these shortcomings. The intelligence community will be in a position to hire more collectors, analysts, linguists, and technicians. It will be able to make long-needed investments in infrastructure, systems integration, and training that will pay significant dividends over the long-term and will, perhaps, make it possible to penetrate the hitherto impenetrable terrorist organization at a level sufficient to get at plans and intentions.

Resources alone, however, will not be enough. Community managers will have to get moving on reform before new intelligence dollars will have full effect. The community must accept this criticism in the right way; and upon that being done, I am confident that long-needed reforms of the community will be hastened by this bill.

As one notable example, DCI George Tenet, in response to our report, repealed the human rights guidelines that have had a chilling effect on counterterrorist recruitment operations since 1995.

Will H.R. 4628 stop all future 9-11-type attacks? No one can make such a guarantee, but this bill will make it much more likely we will have the intelligence capabilities to identify and thwart such hostile actions in the future. We are going to be facing potentially catastrophic threats from terrorists and other adversaries over the long haul. This is not something we are going to be able to stop on a global basis all at once. Therefore, it is critically important that we move swiftly to make the necessary investments in our intelligence capabilities that H.R. 4628 provides.

Mr. Chairman, I urge passage of this bill.

The neglect of the 1990s in the form of decreasing resources and political support for intelligence can never be allowed to be repeated in this country. And it will necessarily require considerable time and effort on all our parts to correct. America needs and deserves an intelligence capability that is second-to-none, and as 9-11 proved, we do not yet have that capability.

Rather than the Cold War threats of old, today's threats are likely to be aircraft hijackings, suicide bombings, cyber attacks, the poisoning of agriculture or our water supply, the use of biological or chemical agents, or the use of radioactive materials to devastate cities. Such threats require a much more innovative and robust Intelligence Community than we have ever had before.

I urge all of my colleagues to vote for H.R. 4628. This bill will move us towards the kind of Intelligence Community all Americans need and deserve. We simply cannot afford to wait

any longer to make the necessary investments. H.R. 4628 will make America safer.

Mr. BISHOP. Mr. Chairman, I yield 7 minutes to the gentlewoman from California (Ms. PELOSI), the ranking member of the Permanent Select Committee on Intelligence.

Ms. PELOSI. Mr. Chairman, I thank the distinguished gentleman for managing this bill for the Democrats and for the gentleman's distinguished work on the committee.

I have to be excused for having to be upstairs in the Committee on Rules speaking for the rule on the homeland security bill which will come to the floor hopefully tomorrow.

I begin by complimenting the gentleman from Florida (Chairman Goss) for the manner in which he has guided the committee. He has been consistently fair and always true to his word. I think that is a great compliment and one that he deserves completely. The committee's reputation for bipartisanship has been enhanced by his disposition toward encouraging and respecting the views of all of our members, as will be clear when we see how easy it is for this bill to pass on the floor.

The chairman has explained well the provisions of the bill. It recommends substantially more money, many billions of dollars more, than was provided for the current fiscal year. If the amounts recommended in the bill are appropriated, the community will receive the largest one-year increase in funding on a percentage basis in at least the last two decades. Much of this increase is directly attributable to the September 11 attacks.

Although no amount of money can guarantee that there will not be additional instances of terrorism, the funding recommended by this bill should make it harder to undertake in a successful way future terrorist attacks like those conducted on September 11. The committee's priority must be on making sure that this money is spent well on programs and activities that will produce results, not only against terrorism, but against other important intelligence targets as well.

We have worked very closely in a bipartisan way on our committee under the leadership of the gentleman from Florida (Mr. Goss). I want to commend the gentleman from Georgia (Mr. BISHOP), the gentlewoman from California (Ms. HARMAN), the gentleman from California (Mr. CONDIT), the gentleman from Indiana (Mr. ROEMER), the gentleman from Texas (Mr. REYES), the gentleman from Iowa (Mr. BOSWELL), the gentleman from Minnesota (Mr. PETERSON), and the gentleman from Alabama (Mr. CRAMER) for their distinguished service on the committee as well, and join others in commending the staff for the excellence of their work and their service to our country.

I leave it to the distinguished chairman to recognize the majority members, but every one of them makes a tremendous contribution to our country's security.

Intelligence is integral to that security, to the protection of the American people and our national interests at home and abroad. Whether our interests are defined as providing security to a special operations team in Afghanistan or passengers in an airliner in the skies over California, timely and reliable intelligence is a necessity.

Although there may be differences over the manner in which some intelligence activities are conducted, and indeed we have our differences, I think we all place a high value on the protective responsibility being discharged effectively by the intelligence community. To do that, a big investment in technology and in people is needed. The investments necessary to enhance mission success in this area are recommended in this bill.

Mission success is produced by things other than money. The world has changed greatly since I joined the committee 10 years ago. I think I have served longer on the committee than anyone. Now my service is coming to an end. At that time, 10 years ago, the intelligence community was primarily focused on the aftermath of the collapse of the Soviet Union. Today, as we know, it is primarily focused on fighting terrorism.

I have been concerned that the intelligence agencies have not been quick enough to recognize the changes in training, tactics and methods of operation required to shift from dealing with a fixed target, like the Soviet Union, to more nimble targets like the terrorists and the proliferators of weapons of mass destruction. I think the record suggests that the shift has been harder to accomplish than had been presumed. In fact, in some areas it has not been fully implemented yet.

For example, the pace toward creating a more diverse workforce in the intelligence community, and in improving the language capabilities of the workforce, have been too slow. Although I recognize that the relatively small number of new employees able to be hired across the community since the end of the Cold War made that a difficult challenge, today a significant increase in the workforce is happening through an acceleration in hiring, and it presents a tremendous opportunity for us to attract and reach out for the diversity that will make mission success more possible.

I expect that community leaders will use this opportunity by redoubling their efforts to attract and advance people with diverse religious, ethnic, and cultural backgrounds, and with capabilities in those languages in which the agencies have traditionally been weak.

H.R. 4628 does much to emphasize language training and to provide incentives to maintain proficiency. Partnerships with entities outside the government to improve the language skills of current employees, as well as new hires, are encouraged. An amendment is expected to study the feasibility of

establishing a reserve core of linguists. These are good initiatives which do much to address one of the intelligence community's biggest needs. I commend the gentleman from Indiana (Mr. ROEMER), the gentleman from California (Mr. CONDIT), the gentleman from Texas (Mr. REYES), the gentleman from New York (Mr. BOEHLERT), and the gentleman from Nevada (Mr. GIBBONS) for their leadership within the committee on the language issue. Their efforts have been assisted from outside the committee by the gentleman from California (Mr. FARR). He knows well the importance of this issue, the Defense Language Institute is located in his district, and he has worked tirelessly to improve language training programs.

The bill continues to emphasize the kind of human and technical collection programs necessary to deal with targets like terrorist groups. This emphasis, however, should not ignore the imbalance across the intelligence community between collection and the ability to make use of that which is collected through timely processing, exploitation, and dissemination.

Progress has been made on dissemination, which was one of the most important intelligence shortcomings during the Gulf War, but not enough attention has been paid to making sure that analytic capabilities are sufficient.

□ 2330

Agencies need more analysts, more translators, and more equipment to speed the process of converting data into intelligence. This bill provides some much needed funding in these areas. I hope that the administration will sustain these important initiatives in future budget submissions.

Finally, Mr. Chairman, we are rapidly approaching the first anniversary of September 11. The terrorist attacks of that day are always on our minds. Although the World Trade Center site has been cleared and the rebuilding of the Pentagon proceeds, the mourning for the victims continues and the life of the Nation has been affected profoundly. The committee is engaged in a process of evaluating the performance of the intelligence agencies in the months leading up to the attacks and in assessing how that performance can be improved to better ensure our security in the future.

An important step in that process was taken last week with the release of the report on intelligence capabilities prepared by the Subcommittee on Terrorism and Homeland Security, ably led by the gentleman from Georgia (Mr. CHAMBLISS) and the gentlewoman from California (Ms. HARMAN). The report will be a valuable tool for the inquiry being conducted jointly by the House and Senate Intelligence Committees. When the report of the joint inquiry is completed, I believe the Nation will have a better understanding of the strengths and weaknesses of our

intelligence agencies on September 11 and how weaknesses can be addressed.

The report of the joint inquiry, however, will be limited necessarily by the jurisdiction of the intelligence committees. Despite our best efforts, many of the questions of the families of the victims will not be answered by the committee's work. We owe those families the most thorough and independent investigation possible. Examining all of the issues raised by the attacks will require, in my judgment, an independent commission. I hope such a commission will be established soon. I commend the gentleman from Indiana (Mr. ROEMER) for his leadership on this issue. I look forward to discussing his amendment.

In closing, I want to acknowledge, again the contributions of my colleagues. I will continue my remarks during the amendment process.

Mr. GOSS. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Nevada (Mr. GIBBONS), a decorated pilot from the services and the distinguished chairman of the Subcommittee on Human Intelligence, Analysis and Counterintelligence which covers quite a spectrum.

(Mr. GIBBONS asked and was given permission to revise and extend his remarks.)

Mr. GIBBONS. Mr. Chairman, I rise in support of the intelligence authorization bill and I thank my friend and colleague from Florida for yielding me this time.

This is a good bill, Mr. Chairman. It addresses intelligence needs that were identified in past years by the Permanent Select Committee on Intelligence, but only now, after the deaths of many innocent Americans, are these needs getting the broad attention they deserve?

Throughout much of the 1990s, after the end of the Cold War, there was a debate about whether America really needed to spend so much on defense. As for intelligence, some people even said there was no longer any need for the CIA. I believe, and indeed I believe America believes, that this debate is now over. As we know now, prior to September 11, we simply did not have enough intelligence on the plans and intentions of foreign terrorist groups. We paid a high price for that lack of intelligence. The bill before you today will help the intelligence agencies build up their capabilities.

If you want to know the plans and the intentions of terrorist groups, you have to have HUMINT, human intelligence. This is the information you get from human sources, known as "assets" or "agents" or just plain "spies." I want to emphasize that this year's intelligence authorization bill does a great deal to strengthen our HUMINT capability.

For one thing, there is money to hire more CIA operations officers. Last fall after the September attacks, our committee freed CIA's operations officers from the Deutch guidelines, imple-

mented by former CIA Director John Deutch, which literally tied the hands of our CIA intelligence operatives working against so-called "unsavory characters," such as terrorists and narcotics traffickers.

Since last fall, America's intelligence operatives have been doing a great job, but they are now few and far between. We need more and this bill will help ensure that there will be more. This bill also provides money to hire more intelligence analysts and language specialists. Likewise, there is more funding for foreign language training. It is not hard to understand that if your operations officers and analysts have not learned the language of your enemy, you will not succeed in learning his plans and intentions.

In addition, to help strengthen our linguistic expertise nationwide, my Intelligence Committee colleague the gentleman from Indiana (Mr. ROEMER) has offered an amendment to establish a nationwide linguistic reserve corps. I am happy to cosponsor his amendment. These HUMINT and foreign language-related items are just some of the good provisions in this intelligence authorization bill. They are long overdue.

In sum, we have a good bill that provides the proper resources to the intelligence community for this year. The clock is ticking and America's enemies continue with their planning. I urge your support for our intelligence professionals, and I urge your support for this bill.

Mr. BISHOP. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Texas (Mr. REYES), a very valuable member of our committee who has former ties to the Border Patrol.

Mr. REYES. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong support of this bill. First I want to thank both Chairman Goss and Ranking Member PELOSI for developing a bill that is designed to meet the intelligence challenges that our Nation is currently facing. Their leadership on critical intelligence issues has been an inspiration and very noteworthy for all of us on the committee.

Since the events of September 11, we have been wrestling with many issues in our quest to enhance our intelligence-gathering capabilities. It is apparent now more than ever that intelligence is the cornerstone in successfully prosecuting the war on terror and securing our homeland. Chairman Goss and Ranking Member PELOSI have ensured that this outstanding bill provides for the funding and the policy guidance to get this job done. I thank them for their continued commitment to our Nation and to our committee.

One of the things that we have also learned is the need for reliable human intelligence. The lives of our citizens are much too valuable to be trusted to proxy agents. This bill addresses this issue. We need analysts and case officers with language skills and expertise

in foreign areas. At both the NSA and CIA, literally thousands of pieces of data are never analyzed, or are analyzed after the fact because there are too few analysts and even fewer with the necessary language skills.

I am proud to have played a role in the construction of this bill, especially the components of it that exemplify the mindset of thinking out of the box, something that will be essential in our future success in fighting terrorism. If we do not innovate and ride the dragon of change, then surely that dragon will ride us. That is why I am especially proud to be a cosponsor of the gentleman from Indiana's amendment to authorize additional funding for the national security education program and to establish the national flagship language initiative.

One of the lessons we have learned in the current conflict is a shortage of qualified linguists who are central to intelligence-gathering operations such as interrogations and signals intelligence. This bill will alleviate that shortage.

Mr. Chairman, I urge all my colleagues to support this bill.

Mr. GOSS. Mr. Chairman, I am very pleased to yield 2½ minutes to the distinguished gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Mr. Chairman, I rise in support of the intelligence authorization bill and thank our good friend and colleague, the gentleman from Florida (Mr. Goss) for the good work that he does and also the gentlewoman from California (Ms. PELOSI) for the good work that she does and all the members of the committee and the staff.

I would like to take just a couple of minutes also to praise the dedicated men and women of our intelligence agencies. America's rank and file intelligence specialists were working hard prior to September 11. Since then they have been working overtime and in overdrive, and there is no let-up in sight. Our intelligence authorization bill gives these dedicated professionals the resources they need. I strongly urge colleagues to support it. I am proud of our committee's work. It has been a strong bipartisan effort that we can all be proud of.

This year's bill helps build its human intelligence capabilities. HUMINT, the information we get from individual human sources overseas, is something we need a lot more of. We need to know a lot more about the internal workings and plans of terrorist groups. Every American understands that we have enemies who are plotting future attacks. We need to maximize our ability to neutralize these plots, and this bill provides funding and resources to do just that. The bill helps address the crying need for more foreign language expertise in the intelligence agencies. Each agency has traditionally been responsible to hire and train an adequate number of linguists, but no agency has ever been able to meet its goals, and the lack of foreign language capability remains a community-wide problem.

Ladies and gentlemen, it stands to reason that if America's intelligence officers cannot understand what our enemies are saying to each other, we will never be able to adequately protect our citizens and our interests.

□ 2340

However, with our bill Congress steps into increased resources for language training and for transition efforts across the entire intelligence community.

Let me just say that when the amendment of the gentleman from Indiana (Mr. ROEMER) to establish a commission comes before the floor, I will strongly oppose that amendment and speak against it as strongly as I can. I think it is an ill-timed amendment, and I hope we do not pass it.

In conclusion, I repeat I am proud of America's rank-and-file intelligence professionals, and I likewise am proud of the Permanent Select Committee on Intelligence's work to provide them the resources they need. I urge strong support of all Members for this bill.

Mr. BISHOP. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Maryland (Mr. CARDIN).

(Mr. CARDIN asked and was given permission to revise and extend his remarks.)

Mr. CARDIN. Mr. Chairman, I thank my friend for yielding me this time.

Mr. Chairman, I want to congratulate the gentleman from Florida (Mr. GOSS), the gentlewoman from California (Ms. PELOSI), and all of the members of the committee for bringing forward an excellent bill. I encourage all of my colleagues to support the legislation.

I wholeheartedly agree with the committee's report that the success of intelligence normally goes unnoticed, for obvious and correct reasons, while failures seem to be immediately brought to the public's eye.

I want to commend the dedicated and hard-working employees of the NSA in my district who work tirelessly in secret with little public reward or praise for their many accomplishments.

Mr. Chairman, I have visited NSA on many occasions, and I agree with the committee report that there are two critical challenges that NSA faces. One is sufficient linguists. We have talked about that already today, the fact is that the inability of budget support to attract sufficient linguists has compromised NSA's mission and that we need to improve the current language programs. The legislation before us authorizes additional funds for us to be able to accomplish that very important challenge.

The second issue is how to deal with the buy-versus-make policy for the outsourcing of nonmission critical programs. I think the committee report addresses that issue appropriately.

Mr. Chairman, the bottom line is that this legislation provides the additional resources to our intelligence community so they can collect and

analyze the necessary information, set the priorities as to what is important for national security, and do that in a timely way. It also at NSA provides resources for additional research to protect U.S. communications.

I think this is a very balanced bill. It is a bill that responds to the security challenges of our Nation, providing the resources and providing the direction that is necessary, and I urge my colleagues to support the legislation.

Mr. GOSS. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Michigan (Mr. HOEKSTRA), a very valuable member of the committee.

Mr. HOEKSTRA. Mr. Chairman, I rise in strong support of H.R. 4628, the Intelligence Authorization Act for Fiscal Year 2003. Over the past decade, Americans have witnessed extraordinary changes in the international security environment. To the average American, some of these new threats were unforeseen. To others, they were simply unimaginable.

We live in a different world than that which existed prior to September 11, 2001; and this body is obligated to ensure that every step is taken to protect our Nation against all threats, new and old.

Mr. Chairman, H.R. 4628 provides important funding that permits the intelligence community to better confront these threats and ensure greater security of Americans at home and abroad.

It is a good, a bipartisan bill. H.R. 4628 addresses numerous intelligence needs, some of which have been underscored by the dramatic events of the past year.

One of the country's most important weapons in the war on terrorism is a diverse, well-trained and experienced intelligence personnel. Intelligence officers, whether they are collectors, analysts, linguists or support personnel, have been working in an overload capacity since 9-11. These brave, patriotic men and women deserve the recognition of this body, and H.R. 4628 takes steps to encourage these officers to continue their tireless service to the country by recommending for them fair compensation, benefits and stronger career planning.

In addition to receiving enhanced specialized training and collecting and analyzing critical intelligence, these officers need strong foreign language skills to operate effectively in parts of the world where our adversaries might lurk. H.R. 4628 addresses the intelligence community's critical need for better language training, targeting specific training for its officers as well as the long-standing issue of the recapitalization of specific technological intelligence platforms.

Mr. Chairman, this Member urges support for H.R. 4628.

Mr. BISHOP. Mr. Chairman, I reserve the balance of my time.

Mr. GOSS. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from North Carolina (Mr. BURR.)

Mr. BURR of North Carolina. Mr. Chairman, I rise today in support of the Intelligence Authorization Act for Fiscal Year 2003. As a member of the Subcommittee on Terrorism and Homeland Security, I am particularly eager for this bill to be voted into law.

During the course of the 107th Congress, the subcommittee, which began as a Speaker's working group in January 2001, heard testimony from dozens of intelligence officials, both at home and abroad, from counterterrorism commissioners, foreign officials and hosts of other terrorism experts. In the end, we found an intelligence community that has suffered severely over the protracted period from budget shortfalls and poor internal management decisions about the allocation of available resources. Significant collection gaps, not just in the realm of counterterrorism, were identified, and many of these problems have proven to be systemic.

H.R. 4628 provides a significant new resource for the most neglected areas of the community and guidance for how the most pressing gaps can be expeditiously closed. The community's most crucial counterterrorism shortcomings, as we judged in a classified report released in unclassified summary form last Wednesday, are as follows: a chronic linguistic shortfall across the community; a shortage of core human intelligence collectors out on the streets in bazaars hunting potential terrorist spies; a culture of risk aversion that has permeated collection operation and is manifest in the CIA's 1995 "Internal Human Rights Guidelines" promulgated by Director of Central Intelligence John Deutch. These management-generated guidelines have tied the hands of those brave men and women on the front lines for far too long.

George Tenet finally repealed these guidelines just last Thursday, the day after the counterterrorism gaps report was released, and some 7 months after he was directed to do so in the fiscal year 2002 intelligence authorization.

The community also lacks analysts in sufficient numbers and with sufficient skills at the CIA, FBI, and NSA to connect all the dots out there that are being unearthed and examined in isolation. The FBI needs to change its culture and traditional methods of operating from emphasis on after-the-fact.

Does H.R. 4628 solve all the problems? No one authorization could possibly do that. But this bill takes us further in terms of targeting resources than we have seen in some time. I submit this bill is critical in getting the intelligence community on the right track and that there is no time to waste in this endeavor.

Mr. GOSS. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Alabama (Mr. EVERETT), a valued member of the committee as well.

Mr. EVERETT. Mr. Chairman, I, too, rise today in strong support of H.R.

4628, the Intelligence Authorization Bill for Fiscal Year 2003. I am proud of the bipartisan work that went into the crafting of this bill. The gentleman from Florida (Chairman GOSS) and the ranking member, the gentlewoman from California (Ms. PELOSI), deserve a great deal of credit for this bipartisan effort and the great product that we have before us today.

□ 2350

It would be disingenuous to state that all is well within the United States intelligence community. The House Permanent Select Committee on Intelligence has been for a number of years identifying a number of major shortfalls and providing for our foreign intelligence needs. We have identified shortfalls, major limitations in human intelligence officers and assets. We have pointed out the limited capabilities this Nation has with respect to foreign language specialists. We have identified problems with aging systems and capabilities. And we have identified a serious problem with respect to taking calculated risks in collecting critical intelligence against those who would do our Nation harm.

Mr. Chairman, this bill represents a major step forward in correcting many of these problems by funding programs, operations, and personnel that are vital to the security of this Nation. This bill is important in particular in that it begins to focus on modernization and upgrading our signals intelligence capacities. It provides funding authorizations to modernize capabilities that have long been ignored.

Although I am supportive of the fund recommendations and policy directions of this bill, I have been personally concerned that it may be difficult for a national security agency to effectively obligate the large infusion of funding. Therefore, the bill directs executive oversight actions for these acquisition programs of the National Security Agency. I believe the guidance and direction in the bill will result in honest appraisals and recommendations to the Congress to ensure the taxpayers' dollars are most effectively spent. I feel this is a good bill that balances the increased investments against critical priorities with procedures, and I recommend its passage to my colleagues.

Mr. Chairman, I rise today in strong support of H.R. 4628, the Intelligence Authorization Bill for fiscal year 2003.

I am proud of the bipartisan work that went into the crafting of the bill. Chairman GOSS and our Ranking Member, NANCY PELOSI deserve a great deal of credit for this bipartisan effort and for the great product that we have before us today.

It would be disingenuous to state that all is well within the United States Intelligence Community. The House Permanent Select Committee on Intelligence has been for a number of years systematically identifying a number of major shortfalls in providing for our foreign intelligence needs. We have identified funding shortfalls, major limitations in human intelligence officers and assets. We have pointed

out the limited capabilities this nation has with respect to foreign language specialists. We have identified problems with aging systems and capabilities. And, we have identified a serious problem with respect to taking calculated risks in collecting critical intelligence against those who would do our nation harm.

Mr. Chairman, this bill represents a major step forward in correcting many of these problems by funding programs, operations, and personnel that are vital to the security of the United States. This bill represents the largest increase for foreign intelligence funding in our a decade, and provides the necessary resources for improving our efforts to protect the homeland and support our forces—civilian, military and diplomatic—waging the current war on terrorism. The policies and programs in this bill will enable us to strengthen our intelligence capabilities to ensure the best foreign intelligence efforts possible.

This bill is important, in particular, in that it begins to focus on modernizing and upgrading our signals intelligence capabilities. It provides funding authorizations to modernize capabilities that have long been ignored. While focusing on modernization, it maintains a fair balance to ensure that current and legacy capabilities continues to be viable and contribute to our national security efforts by providing the necessary collection and analysis capabilities.

Although I am supportive of the funding recommendations and policy directions in the bill, I have been personally concerned that it may be difficult for the National Security Agency to effectively obligate the large infusion of funding. Therefore, the bill directs specific executive oversight actions for these acquisition programs of the National Security Agency. I believe the guidance and direction in the bill will result in honest appraisals and recommendations to the Congress to ensure the taxpayers' dollars are most effectively spent.

Mr. Chairman, this bill puts a great deal of emphasis on getting the Intelligence Community "back to the basics." In short, this bill begins to correct the systemic problems that left us under-prepared for warning against the terrorist attacks on America.

I feel that this is a good bill that balances the increased investment against critical priorities with procedures for effectively monitoring the wise investment of the taxpayers money. Mr. Chairman, I urge my colleagues to support H.R. 4628.

Mr. BISHOP. Mr. Chairman, we have no further requests for time. I think the bill has been very adequately explained and debated. It is a good bill, and I urge my colleagues in the House to support it.

Mr. Chairman, I yield back the balance of our time

Mr. GOSS. Mr. Chairman, I want to congratulate the Members for their participation and their help in explaining what this bill does for the American people and our national security.

Mr. BLUMENAUER. Mr. Chairman, I would like to thank my colleagues, Congressmen FARR, ROEMER, GIBBONS, and REYES, for their leadership in taking steps to establish a Civilian Linguistic Reserve Corps. As we search for ways to improve the functioning of our intelligence agencies, we must take advantage of our existing resources, including individuals highly trained in linguistics. In fact, the idea of utilizing citizen linguists was presented to me

by one of my constituents who is a former U.S. Army Arabic linguist. He shared useful suggestions regarding how we can benefit from the skills of linguists, such as himself.

The Civilian Linguist Reserve Corps would be comprised of United States citizens with advanced levels of proficiency in foreign languages who would be available to perform services using these foreign languages as the President may specify.

I compliment my colleague SAM FARR for working to establish a registry of these linguists, which the Civilian Linguistic Reserve Corps builds upon. The Defense Language Institute (DLI) is located in Monterey, California in Rep. FARR's district. The DLI trains many members of our military in languages such as Dari, Pashto, Urdu, Uzbek, Georgian, Chechen, and Albanian. We cannot afford to lose these capabilities and the Civilian Linguistic Reserve Corps is a perfect solution to facilitate the continued service of these linguists.

Mr. SIMMONS. Mr. Chairman, I rise today in strong support of the fiscal year 2003 Intelligence Authorization bill (H.R. 4628). Since the end of the Cold War we have permitted our intelligence community to grow weak by under funding accounts and imposing politically correct restrictions. Our nation cannot afford to keep its guard down. The lives of our citizens are at stake.

This legislation moves us forward in reconstructing our intelligence gathering and analytical capabilities. H.R. 4628 builds on the progress of last year's authorization measure adding more money in critical areas we have now identified as deficient in the analysis of the attacks on our country last September 11.

This week the House will vote on the biggest restructuring of our government in 50 years so that we better meet the challenges of terrorism. But we should never think that structural changes alone could bring security. H.R. 4628 addresses a critical dimension of our security needs—better intelligence for early warning.

This legislation enhances efforts to rebuild our Nation's human intelligence capabilities: sharpening skills and expertise and strengthening presence and reach. The measure addresses shortfalls in our intelligence community's analytical abilities so that we might fortify that capability and provide consumers of intelligence the precise data and thorough analysis they require.

The measure also shores up shortfalls in the Defense Department's signals intelligence and Unmanned Airborne Vehicle programs. Directly addressing the shortage of capability in interrogation, the measure enhances our ongoing efforts to acquire valuable information from combatant detainees at Guantanamo Bay.

Finally, the measure addresses the essential need to upgrade our intelligence community's language skills programs. I spent 10 years as an operation officer in the CIA. Five of those years were spent overseas in the Far East where my language training and ability was an important tool in my daily routine and success. I know that language skills are critical to operational effectiveness. Not only must we improve these skills for our operations officers but also for our communications specialist and analysts.

Mr. Chairman, recently the Greek police arrested ten members of the Revolutionary Organization November 17. This elusive group

has terrorized Greece for over 25 years killing more than a dozen diplomats, civilians and police officers.

One person killed by that group was Richard Welch, the CIA station chief in Athens, whose name had been exposed by an anti-intelligence publication. Masked gunmen had cut him down in front of his home, a few days before Christmas. I remember his murder well. Later I would meet his widow and work with the late Senator John H. Chafee to pass the Intelligence Identities Protection Act in 1982 to protect other clandestine operatives from similar assassination.

The dismantlement of this group is timely in that it reminds us of the importance of intelligence work today, and the risks involved for many who serve in our intelligence community. I find comfort that the assassins of Richard Welch have been captured, that Greek citizens are free of its terrors, and that justice may finally be served.

Mr. Chairman, our intelligence community remains on the front lines of the war on terrorism. Many of them serve with great courage and without recognition. Many of them gather information at great risk to their lives and those of their families. They provide information of great value to the defense of our nation. This bill brings more resources, tools, skills, and more assets to the people whose tireless and courageous efforts help protect our nation.

I strongly support this legislation and applaud the members of the committee and the staff on their fine work.

Mr. GOSS. Mr. Chairman, I too am happy to yield back the balance of our time.

The CHAIRMAN pro tempore (Mr. PETRI). All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for the purpose of amendment, and is considered read.

The text of the committee amendment in the nature of a substitute is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Intelligence Authorization Act for Fiscal Year 2003”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified schedule of authorizations.

Sec. 103. Personnel ceiling adjustments.

Sec. 104. Community Management Account.

Sec. 105. Authorization of emergency supplemental appropriations for fiscal year 2002.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

Sec. 301. Increase in employee compensation and benefits authorized by law.

Sec. 302. Restriction on conduct of intelligence activities.

Sec. 303. Sense of Congress on intelligence community contracting.

Sec. 304. Semiannual report on financial intelligence on terrorist assets (FITA).

Sec. 305. Modification of excepted agency voluntary leave transfer authority.

Sec. 306. Additional one-year suspension of reorganization of Diplomatic Telecommunications Service Program Office.

Sec. 307. Prohibition on compliance with requests for information submitted by foreign governments.

Sec. 308. Cooperative relationship between the National Security Education Program and the Foreign Language Center of the Defense Language Institute.

Sec. 309. Establishment of National Flagship Language Initiative within the National Security Education Program.

Sec. 310. Deadline for submittal of various overdue reports.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

Sec. 401. Two-year extension of Central Intelligence Agency Voluntary Separation Pay Act.

Sec. 402. Prohibition on implementation of compensation reform plan.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

Sec. 501. Use of funds for counter-drug and counterterrorism activities for Colombia.

Sec. 502. Protection of operational files of the National Reconnaissance Office.

Sec. 503. Eligibility of employees in intelligence senior level positions for Presidential Rank Awards.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2003 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

- (1) The Central Intelligence Agency.
- (2) The Department of Defense.
- (3) The Defense Intelligence Agency.
- (4) The National Security Agency.
- (5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
- (6) The Department of State.
- (7) The Department of the Treasury.
- (8) The Department of Energy.
- (9) The Federal Bureau of Investigation.
- (10) The National Reconnaissance Office.
- (11) The National Imagery and Mapping Agency.
- (12) The Coast Guard.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) **SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.**—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 2003, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the bill H.R. 4628 of the One Hundred Seventh Congress.

(b) **AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**—The Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) **AUTHORITY FOR ADJUSTMENTS.**—With the approval of the Director of the Office of Management and Budget, the Director of Central Intelligence may authorize employment of civilian

personnel in excess of the number authorized for fiscal year 2003 under section 102 when the Director of Central Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 2 percent of the number of civilian personnel authorized under such section for such element.

(b) **NOTICE TO INTELLIGENCE COMMITTEES.**—The Director of Central Intelligence shall notify promptly the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever the Director exercises the authority granted by this section.

SEC. 104. COMMUNITY MANAGEMENT ACCOUNT.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for the Community Management Account of the Director of Central Intelligence for fiscal year 2003 the sum of \$176,179,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for the Advanced Research and Development Committee shall remain available until September 30, 2004.

(b) **AUTHORIZED PERSONNEL LEVELS.**—The elements within the Community Management Account of the Director of Central Intelligence are authorized 350 full-time personnel as of September 30, 2003. Personnel serving in such elements may be permanent employees of the Community Management Account or personnel detailed from other elements of the United States Government.

(c) **CLASSIFIED AUTHORIZATIONS.**—

(1) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts authorized to be appropriated for the Community Management Account by subsection (a), there are also authorized to be appropriated for the Community Management Account for fiscal year 2003 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts shall remain available until September 30, 2004.

(2) **AUTHORIZATION OF PERSONNEL.**—In addition to the personnel authorized by subsection (b) for elements of the Community Management Account as of September 30, 2003, there are hereby authorized such additional personnel for such elements as of that date as are specified in the classified Schedule of Authorizations.

(d) **REIMBURSEMENT.**—Except as provided in section 113 of the National Security Act of 1947 (50 U.S.C. 404h), during fiscal year 2003 any officer or employee of the United States or a member of the Armed Forces who is detailed to the staff of the Community Management Account from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of Central Intelligence.

(e) **NATIONAL DRUG INTELLIGENCE CENTER.**—

(1) **IN GENERAL.**—Of the amount authorized to be appropriated in subsection (a), \$34,100,000 shall be available for the National Drug Intelligence Center. Within such amount, funds provided for research, development, testing, and evaluation purposes shall remain available until September 30, 2003, and funds provided for procurement purposes shall remain available until September 30, 2004.

(2) **TRANSFER OF FUNDS.**—The Director of Central Intelligence shall transfer to the Attorney General funds available for the National Drug Intelligence Center under paragraph (1). The Attorney General shall utilize funds so transferred for the activities of the National Drug Intelligence Center.

(3) **LIMITATION.**—Amounts available for the National Drug Intelligence Center may not be

used in contravention of the provisions of section 103(d)(1) of the National Security Act of 1947 (50 U.S.C. 403-3(d)(1)).

(4) **AUTHORITY.**—Notwithstanding any other provision of law, the Attorney General shall retain full authority over the operations of the National Drug Intelligence Center.

SEC. 105. AUTHORIZATION OF EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2002.

(a) **AUTHORIZATION.**—Amounts authorized to be appropriated for fiscal year 2002 under section 101 of the Intelligence Authorization Act for Fiscal Year 2002 (Public Law 107-108) for the conduct of the intelligence activities of elements of the United States Government listed in such section are hereby increased, with respect to any such authorized amount, by the amount by which appropriations pursuant to such authorization were increased by the following:

(1) The Emergency Supplemental Act, 2002 (contained in division B of Public Law 107-117), including section 304 of such Act (115 Stat. 2300).

(2) An emergency supplemental appropriation in a supplemental appropriations Act for fiscal year 2002 that is enacted after May 1, 2002, amounts as are designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

(b) **RATIFICATION.**—For purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414), any obligation or expenditure of those amounts deemed to have been specifically authorized by the Act referred to in subsection (a)(1) and by the supplemental appropriations Act referred to in subsection (a)(2) is hereby ratified and confirmed.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2003 the sum of \$351,300,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. SENSE OF CONGRESS ON INTELLIGENCE COMMUNITY CONTRACTING.

It is the sense of Congress that the Director of Central Intelligence should continue to direct that elements of the intelligence community, whenever compatible with the national security interests of the United States and consistent with operational and security concerns related to the conduct of intelligence activities, and where fiscally sound, should competitively award contracts in a manner that maximizes the procurement of products properly designated as having been made in the United States.

SEC. 304. SEMIANNUAL REPORT ON FINANCIAL INTELLIGENCE ON TERRORIST ASSETS (FITA).

(a) **SEMIANNUAL REPORT.**—

(1) **IN GENERAL.**—Title I of the National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended by adding at the end the following new section:

“SEMIANNUAL REPORT ON FINANCIAL INTELLIGENCE ON TERRORIST ASSETS

“SEC. 118. (a) SEMIANNUAL REPORT.—On a semiannual basis, the Secretary of the Treasury (acting through the head of the Office of Intelligence Support) shall submit a report to the appropriate congressional committees (as defined in subsection (c)) that fully informs the committees concerning operations against terrorist financial networks. Each such report shall include with respect to the preceding six-month period—

“(1) the total number of asset seizures, designations, and other actions against individuals or entities found to have engaged in financial support of terrorism;

“(2) the total number of applications for asset seizure and designations of individuals or entities suspected of having engaged in financial support of terrorist activities, that were granted, modified, or denied;

“(3) the total number of physical searches of offices, residences, or financial records of individuals or entities suspected of having engaged in financial support for terrorist activity; and

“(4) whether the financial intelligence information seized in these cases has been shared on a full and timely basis with the all departments, agencies, and other entities of the United States Government involved in intelligence activities participating in the Foreign Terrorist Asset Tracking Unit (managed and coordinated by the Counterterrorism Center of the Central Intelligence Agency).

“(b) IMMEDIATE NOTIFICATION FOR EMERGENCY DESIGNATION.—In the case of a designation of an individual or entity, or the assets of an individual or entity, as having been found to have engaged in terrorist activities, the Secretary of the Treasury shall report such designation within 24 hours of such a designation to the appropriate congressional committees.

“(c) DEFINITION.—In this section, the term ‘appropriate congressional committees’ means the following:

“(1) The Permanent Select Committee on Intelligence, the Committee on Appropriations, and the Committee on Financial Services of the House of Representatives.

“(2) The Select Committee on Intelligence, the Committee on Appropriations, and the Committee on Banking, Housing, and Urban Affairs of the Senate.”.

(2) **CLERICAL AMENDMENT.**—The table of contents contained in the first section of such Act is amended by inserting after the item relating to section 117 the following new item:

“Sec. 118. Semiannual report on financial intelligence on terrorist assets.”.

(b) **CONFORMING AMENDMENT.**—Section 501(f) of the National Security Act of 1947 (50 U.S.C. 413(f)) is amended by inserting before the period the following: “, and includes financial intelligence activities”.

SEC. 305. MODIFICATION OF EXCEPTED AGENCY VOLUNTARY LEAVE TRANSFER AUTHORITY.

(a) **IN GENERAL.**—Section 6339 of title 5, United States Code, is amended—

(1) by striking subsection (b);

(2) by redesignating subsection (c) as subsection (b); and

(3) by inserting after subsection (b) (as so redesignated by paragraph (2)) the following:

“(c)(1) Notwithstanding any provision of subsection (b), the head of an excepted agency may, at his sole discretion, by regulation establish a program under which an individual employed in or under such excepted agency may participate in a leave transfer program established under the provisions of this subchapter outside of this section, including provisions permitting the transfer of annual leave accrued or accumulated by such employee to, or permitting such employee to receive transferred leave from, an employee of any other agency (including another excepted agency having a program under this subsection).

“(2) To the extent practicable and consistent with the protection of intelligence sources and methods, any program established under paragraph (1) shall be consistent with the provisions of this subchapter outside of this section and with any regulations issued by the Office of Personnel Management implementing this subchapter.”.

(b) **CONFORMING AMENDMENTS.**—Section 6339 of such title is amended—

(1) in paragraph (2) of subsection (b) (as so redesignated by subsection (a)(2)), by striking “under this section” and inserting “under this subsection”; and

(2) in subsection (d), by striking “of Personnel Management”.

SEC. 306. ADDITIONAL ONE-YEAR SUSPENSION OF REORGANIZATION OF DIPLOMATIC TELECOMMUNICATIONS SERVICE PROGRAM OFFICE.

Section 311 of the Intelligence Authorization Act for Fiscal Year 2002 (Public Law 107-108; 22 U.S.C. 7301 note; 115 Stat. 1401) is amended—

(1) in the heading, by striking “ONE-YEAR” and inserting “TWO-YEAR”; and

(2) in the text, by striking “October 1, 2002” and inserting “October 1, 2003”.

SEC. 307. PROHIBITION ON COMPLIANCE WITH REQUESTS FOR INFORMATION SUBMITTED BY FOREIGN GOVERNMENTS.

Section 552(a)(3) of title 5, United States Code, is amended—

(1) in subparagraph (A) by inserting “and except as provided in subparagraph (E),” after “of this subsection.”; and

(2) by adding at the end the following:

“(E) An agency, or part of an agency, that is an element of the intelligence community (as that term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))) shall not make any record available under this paragraph to—

“(i) any government entity, other than a State, territory, commonwealth, or district of the United States, or any subdivision thereof; or

“(ii) a representative of a government entity described in clause (i).”.

SEC. 308. COOPERATIVE RELATIONSHIP BETWEEN THE NATIONAL SECURITY EDUCATION PROGRAM AND THE FOREIGN LANGUAGE CENTER OF THE DEFENSE LANGUAGE INSTITUTE.

Section 802 of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902) is amended by adding at the end the following new subsection:

“(h) **USE OF AWARDS TO ATTEND THE FOREIGN LANGUAGE CENTER OF THE DEFENSE LANGUAGE INSTITUTE.**—(1) The Secretary shall provide for the admission of award recipients to the Foreign Language Center of the Defense Language Institute (hereinafter in this subsection referred to as the ‘Center’). An award recipient may apply a portion of the applicable scholarship or fellowship award for instruction at the Center on a space-available basis as a Department of Defense sponsored program to defray the additive instructional costs.

“(2) Except as the Secretary determines necessary, an award recipient who receives instruction at the Center shall be subject to the same regulations with respect to attendance, discipline, discharge, and dismissal as apply to other persons attending the Center.

“(3) In this subsection, the term ‘award recipient’ means an undergraduate student who has been awarded a scholarship under subsection (a)(1)(A) or a graduate student who has been a fellowships under subsection (a)(1)(B) who—

“(A) is in good standing;

“(B) has completed all academic study in a foreign country, as provided for under the scholarship or fellowship; and

“(C) would benefit from instruction provided at the Center.”.

SEC. 309. ESTABLISHMENT OF NATIONAL FLAGSHIP LANGUAGE INITIATIVE WITHIN THE NATIONAL SECURITY EDUCATION PROGRAM.

(a) NATIONAL FLAGSHIP LANGUAGE INITIATIVE.—

(1) EXPANSION OF GRANT PROGRAM AUTHORITY.—Subsection (a)(1) of section 802 of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902) is amended—

(A) by striking “and” at the end of subparagraph (B)(ii);

(B) by striking the period at the end of subparagraph (C) and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(D) awarding grants to institutions of higher education to carry out a National Flagship Language Initiative (described in subsection (i)).”.

(2) PROVISIONS OF NATIONAL FLAGSHIP LANGUAGE INITIATIVE.—Such section, as amended by section 308, is further amended by adding at the end the following new subsection:

“(i) NATIONAL FLAGSHIP LANGUAGE INITIATIVE.—(1) Under the National Flagship Language Initiative, institutions of higher learning shall establish, operate, or improve activities designed to train students in programs in a range of disciplines to achieve advanced levels of proficiency in those foreign languages that the Secretary identifies as being the most critical in the interests of the national security of the United States.

“(2) An undergraduate student who has been awarded a scholarship under subsection (a)(1)(A) or a graduate student who has been awarded a fellowship under subsection (a)(1)(B) may participate in the activities carried out under the National Flagship Language Initiative.

“(3) An institution of higher education that receives a grant pursuant to subsection (a)(1)(D) shall give special consideration to applicants who are employees of the Federal Government.

“(4) For purposes of this subsection, the Foreign Language Center of the Defense Language Institute and any other educational institution that provides training in foreign languages operated by the Department of Defense or an agency in the intelligence community is deemed to be an institution of higher education, and may carry out the types of activities permitted under the National Flagship Language Initiative.”.

(3) WAIVER OF FUNDING ALLOCATION RULES.—Subsection (a)(2) of such section is amended by adding at the end the following flush sentences:

“The funding allocation under this paragraph shall not apply to grants under paragraph (1)(D) for the National Flagship Language Initiative described in subsection (i). For the authorization of appropriations for the National Flagship Language Initiative, see section 811.”.

(4) BOARD REQUIREMENT.—Section 803(d)(4) of such Act (50 U.S.C. 1904(d)(4)) is amended—

(A) by striking “and” at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(E) which foreign languages are critical to the national security interests of the United States for purposes of section 802(a)(1)(D) (relating to grants for the National Flagship Language Initiative).”.

(b) FUNDING.—The David L. Boren National Security Education Act of 1991 (50 U.S.C. 1901 et seq.) is amended by adding at the end the following new section:

“SEC. 811. ADDITIONAL ANNUAL AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—In addition to amounts that may be made available to the Secretary under the National Security Education Trust Fund (under section 804 of this Act) for a fiscal year, there is authorized to be appropriated to the Secretary for each fiscal year, beginning

with fiscal year 2003, \$10,000,000, to carry out the grant program for the National Flagship Language Initiative under section 802(a)(1)(D).

“(b) AVAILABILITY OF APPROPRIATED FUNDS.—Amounts appropriated pursuant to the authorization under subsection (a) shall remain available until expended.”.

SEC. 310. DEADLINE FOR SUBMITTAL OF VARIOUS OVERDUE REPORTS.

(a) DEADLINE.—The reports described in subsection (c) shall be submitted to Congress not later than 180 days after the date of the enactment of this Act.

(b) NONCOMPLIANCE.—(1) If all the reports described in subsection (c) are not submitted to Congress by the date specified in subsection (a), amounts available to be obligated or expended after that date to carry out the functions or duties of the following offices shall be reduced by 1/3:

(A) The Office of the Director of Central Intelligence.

(B) The Office of Community Management Staff.

(2) The reduction applicable under paragraph (1) shall not apply if the Director of Central Intelligence certifies to Congress by the date referred to in subsection (a) that all reports referred to in subsection (c) have been submitted to Congress.

(c) REPORTS DESCRIBED.—The reports referred to in subsection (a) are reports mandated by law for which the Director of Central Intelligence has sole or primary responsibility to prepare, or coordinate, and submit to Congress which, as of the date of the enactment of this Act, have not been submitted to Congress by the date mandated by law.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. TWO-YEAR EXTENSION OF CENTRAL INTELLIGENCE AGENCY VOLUNTARY SEPARATION PAY ACT.

Section 2 of the Central Intelligence Agency Voluntary Separation Pay Act (50 U.S.C. 403–4 note) is amended—

(1) in subsection (f), by striking “September 30, 2003” and inserting “September 30, 2005”; and

(2) in subsection (i), by striking “or 2003” and inserting “2003, 2004, or 2005”.

SEC. 402. PROHIBITION ON IMPLEMENTATION OF COMPENSATION REFORM PLAN.

No plan by the Director of Central Intelligence that would revise the manner in which employees of the Central Intelligence Agency, or employees of other elements of the United States Government that conduct intelligence and intelligence-related activities, are compensated may be implemented until the plan has been specifically authorized by statute.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

SEC. 501. USE OF FUNDS FOR COUNTER-DRUG AND COUNTERTERRORISM ACTIVITIES FOR COLOMBIA.

Notwithstanding any other provision of law, funds designated for intelligence or intelligence-related purposes for assistance to the Government of Colombia for counter-drug activities for fiscal years 2002 and 2003, and any unobligated funds available to any element of the intelligence community for such activities for a prior fiscal year, shall be available to support a unified campaign against narcotics trafficking and against activities by organizations designated as terrorist organizations (such as the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and the United Self-Defense Forces of Colombia (AUC)), and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations.

SEC. 502. PROTECTION OF OPERATIONAL FILES OF THE NATIONAL RECONNAISSANCE OFFICE.

(a) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 401 et seq.) is amend-

ed by inserting after section 105C (50 U.S.C. 403–5c) the following new section:

“PROTECTION OF OPERATIONAL FILES OF THE NATIONAL RECONNAISSANCE OFFICE

“SEC. 105D. (a) EXEMPTION OF CERTAIN OPERATIONAL FILES FROM SEARCH, REVIEW, PUBLICATION, OR DISCLOSURE.—(1) The Director of the National Reconnaissance Office, with the coordination of the Director of Central Intelligence, may exempt operational files of the National Reconnaissance Office from the provisions of section 552 of title 5, United States Code, which require publication, disclosure, search, or review in connection therewith.

“(2)(A) Subject to subparagraph (B), for the purposes of this section, the term ‘operational files’ means files of the National Reconnaissance Office (hereafter in this section referred to as ‘NRO’) that document the means by which foreign intelligence or counterintelligence is collected through scientific and technical systems.

“(B) Files which are the sole repository of disseminated intelligence are not operational files.

“(3) Notwithstanding paragraph (1), exempted operational files shall continue to be subject to search and review for information concerning—

“(A) United States citizens or aliens lawfully admitted for permanent residence who have requested information on themselves pursuant to the provisions of section 552 or 552a of title 5, United States Code;

“(B) any special activity the existence of which is not exempt from disclosure under the provisions of section 552 of title 5, United States Code; or

“(C) the specific subject matter of an investigation by any of the following for any impropriety, or violation of law, Executive order, or Presidential directive, in the conduct of an intelligence activity:

“(i) The Permanent Select Committee on Intelligence of the House of Representatives.

“(ii) The Select Committee on Intelligence of the Senate.

“(iii) The Intelligence Oversight Board.

“(iv) The Department of Justice.

“(v) The Office of General Counsel of NRO.

“(vi) The Office of the Director of NRO.

“(4)(A) Files that are not exempted under paragraph (1) which contain information derived or disseminated from exempted operational files shall be subject to search and review.

“(B) The inclusion of information from exempted operational files in files that are not exempted under paragraph (1) shall not affect the exemption under paragraph (1) of the originating operational files from search, review, publication, or disclosure.

“(C) The declassification of some of the information contained in exempted operational files shall not affect the status of the operational file as being exempt from search, review, publication, or disclosure.

“(D) Records from exempted operational files which have been disseminated to and referenced in files that are not exempted under paragraph (1) and which have been returned to exempted operational files for sole retention shall be subject to search and review.

“(5) The provisions of paragraph (1) may not be superseded except by a provision of law which is enacted after the date of the enactment of this section, and which specifically cites and repeals or modifies its provisions.

“(6)(A) Except as provided in subparagraph (B), whenever any person who has requested agency records under section 552 of title 5, United States Code, alleges that NRO has withheld records improperly because of failure to comply with any provision of this section, judicial review shall be available under the terms set forth in section 552(a)(4)(B) of title 5, United States Code.

“(B) Judicial review shall not be available in the manner provided for under subparagraph (A) as follows:

“(i) In any case in which information specifically authorized under criteria established by

an Executive order to be kept secret in the interests of national defense or foreign relations is filed with, or produced for, the court by NRO, such information shall be examined *ex parte*, in camera by the court.

“(ii) The court shall, to the fullest extent practicable, determine the issues of fact based on sworn written submissions of the parties.

“(iii) When a complainant alleges that requested records are improperly withheld because of improper placement solely in exempted operational files, the complainant shall support such allegation with a sworn written submission based upon personal knowledge or otherwise admissible evidence.

“(iv)(I) When a complainant alleges that requested records were improperly withheld because of improper exemption of operational files, NRO shall meet its burden under section 552(a)(4)(B) of title 5, United States Code, by demonstrating to the court by sworn written submission that exempted operational files likely to contain responsible records currently perform the functions set forth in paragraph (2).

“(II) The court may not order NRO to review the content of any exempted operational file or files in order to make the demonstration required under subclause (I), unless the complainant disputes NRO’s showing with a sworn written submission based on personal knowledge or otherwise admissible evidence.

“(v) In proceedings under clauses (iii) and (iv), the parties may not obtain discovery pursuant to rules 26 through 36 of the Federal Rules of Civil Procedure, except that requests for admissions may be made pursuant to rules 26 and 36.

“(vi) If the court finds under this paragraph that NRO has improperly withheld requested records because of failure to comply with any provision of this subsection, the court shall order NRO to search and review the appropriate exempted operational file or files for the requested records and make such records, or portions thereof, available in accordance with the provisions of section 552 of title 5, United States Code, and such order shall be the exclusive remedy for failure to comply with this subsection.

“(vii) If at any time following the filing of a complaint pursuant to this paragraph NRO agrees to search the appropriate exempted operational file or files for the requested records, the court shall dismiss the claim based upon such complaint.

“(viii) Any information filed with, or produced for the court pursuant to clauses (i) and (iv) shall be coordinated with the Director of Central Intelligence prior to submission to the court.

“(b) DECENNIAL REVIEW OF EXEMPTED OPERATIONAL FILES.—(1) Not less than once every 10 years, the Director of the National Reconnaissance Office and the Director of Central Intelligence shall review the exemptions in force under subsection (a)(1) to determine whether such exemptions may be removed from the category of exempted files or any portion thereof. The Director of Central Intelligence must approve any determination to remove such exemptions.

“(2) The review required by paragraph (1) shall include consideration of the historical value or other public interest in the subject matter of the particular category of files or portions thereof and the potential for declassifying a significant part of the information contained therein.

“(3) A complainant that alleges that NRO has improperly withheld records because of failure to comply with this subsection may seek judicial review in the district court of the United States of the district in which any of the parties reside, or in the District of Columbia. In such a proceeding, the court’s review shall be limited to determining the following:

“(A) Whether NRO has conducted the review required by paragraph (1) before the expiration of the 10-year period beginning on the date of

the enactment of this section or before the expiration of the 10-year period beginning on the date of the most recent review.

“(B) Whether NRO, in fact, considered the criteria set forth in paragraph (2) in conducting the required review.”.

(b) CLERICAL AMENDMENT.—The table of contents contained in the first section of such Act is amended by inserting after the item relating to section 105C the following new item:

“Sec. 105D. Protection of operational files of the National Reconnaissance Office.”.

SEC. 503. ELIGIBILITY OF EMPLOYEES IN INTELLIGENCE SENIOR LEVEL POSITIONS FOR PRESIDENTIAL RANK AWARDS.

Section 1607 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(c) AWARD OF RANK TO EMPLOYEES IN INTELLIGENCE SENIOR LEVEL POSITIONS.—The President, based on the recommendations of the Secretary of Defense, may award a rank referred to in section 4507a of title 5 to employees in Intelligence Senior Level positions designated under subsection (a). The award of such rank shall be made in a manner consistent with the provisions of that section.”.

The CHAIRMAN pro tempore. No amendment to that amendment shall be in order except those printed in the designated place in the CONGRESSIONAL RECORD and pro forma amendments for the purpose of debate. Amendments printed in the RECORD may be offered only by the Member who caused it to be printed or his designee and shall be considered read.

Are there any amendments to the bill?

AMENDMENT NO. 9 OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. ROEMER:

At the end (page 30, after line 7), add the following new title:

TITLE VI—NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES.

SEC. 601. ESTABLISHMENT OF COMMISSION.

There is established the National Commission on Terrorist Attacks Upon the United States (in this title referred to as the “Commission”).

SEC. 602. COMPOSITION OF THE COMMISSION.

(a) MEMBERS.—Subject to the requirements of subsection (b), the Commission shall be composed of 10 members, of whom—

(1) 3 members shall be appointed by the majority leader of the Senate;

(2) 3 members shall be appointed by the Speaker of the House of Representatives;

(3) 2 members shall be appointed by the minority leader of the Senate; and

(4) 2 members shall be appointed by the minority leader of the House of Representatives.

(b) QUALIFICATIONS.—

(1) POLITICAL PARTY AFFILIATION.—Not more than 5 members of the Commission shall be from the same political party.

(2) NONGOVERNMENTAL APPOINTEES.—No member of the Commission shall be an officer or employee of the Federal Government or any State or local government.

(3) OTHER QUALIFICATIONS.—It is the sense of Congress that individuals appointed to the Commission should be prominent United States citizens, with national recognition

and significant depth of experience in such professions as governmental service and intelligence gathering.

(c) CHAIRPERSON; VICE CHAIRPERSON.—

(1) IN GENERAL.—Subject to the requirement of paragraph (2), the Chairperson and Vice Chairperson of the Commission shall be elected by the members.

(2) POLITICAL PARTY AFFILIATION.—The Chairperson and Vice Chairperson shall not be from the same political party.

(d) INITIAL MEETING.—If 60 days after the date of enactment of this Act, 6 or more members of the Commission have been appointed, those members who have been appointed may meet and, if necessary, select a temporary Chairperson and Vice Chairperson, who may begin the operations of the Commission, including the hiring of staff.

(e) QUORUM; VACANCIES.—After its initial meeting, the Commission shall meet upon the call of the Chairperson or a majority of its members. Six members of the Commission shall constitute a quorum. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 603. FUNCTIONS OF THE COMMISSION.

(a) IN GENERAL.—The functions of the Commission are to—

(1) review the implementation by the intelligence community of the findings, conclusions, and recommendations of—

(A) the Joint Inquiry of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives regarding the terrorist attacks against the United States which occurred on September 11, 2001;

(B) other reports and investigations of the House Permanent Select Committee on Intelligence of the House of Representatives and the Senate Select Committee on Intelligence of the Senate; and

(C) other such executive branch, congressional, or independent commission investigations of such the terrorist attacks or the intelligence community;

(2) make recommendations on additional actions for implementation of the findings, recommendations and conclusions referred to in paragraph (1);

(3) review resource allocation and other prioritizations of the intelligence community for counterterrorism and make recommendations for such changes in those allocations and prioritization to ensure that counterterrorism receives sufficient attention and support from the intelligence community;

(4) review and recommend changes to the organization of the intelligence community, in particular the division of agencies under the jurisdiction of the Secretary of Defense and the Director of Central Intelligence, the dual responsibilities of the Director of Central Intelligence as head of the intelligence community and as head of the Central Intelligence Agency, and the separation of agencies with responsibility for intelligence collection, analysis, and dissemination; and

(5) determine what technologies, procedures, and capabilities are needed for the intelligence community to effectively support and conduct future counterterrorism missions, and recommend how these capabilities should be developed, acquired, or both from entities outside the intelligence community, including from private entities.

(b) DEFINITION OF INTELLIGENCE COMMUNITY.—In this section, the term “intelligence community” means—

(1) the Office of the Director of Central Intelligence, which shall include the Office of the Deputy Director of Central Intelligence and the National Intelligence Council;

(2) the Central Intelligence Agency;

(3) the National Security Agency;

- (4) the Defense Intelligence Agency;
- (5) the National Imagery and Mapping Agency
- (6) the National Reconnaissance Office;
- (7) other offices within the Department of Defense for the collection of specialized national intelligence through reconnaissance programs;
- (8) the intelligence elements of the Army, the Navy, the Air Force, the Marine Corps, the Federal Bureau of Investigation, the Department of the Treasury, the Department of Energy, and the Coast Guard;
- (9) the Bureau of Intelligence and Research of the Department of State; and
- (10) such other elements of any other department or agency as are designated by the President, or designated jointly by the Director of Central Intelligence and the head of the department or agency concerned, as an element of the intelligence community under section 3(4)(J) of the National Security Act of 1947 (50 U.S.C. 401a(4)(J)).

SEC. 604. POWERS OF THE COMMISSION.

(a) **HEARINGS AND EVIDENCE.**—The Commission may, for purposes of carrying out this title—

- (1) hold hearings, sit and act at times and places, take testimony, receive evidence, and administer oaths; and
- (2) require, by subpoena or otherwise, the attendance and testimony of witnesses and the production of books, records, correspondence, memoranda, papers, and documents.

(b) SUBPOENAS.—

(1) **SERVICE.**—Subpoenas issued under subsection (a)(2) may be served by any person designated by the Commission.

(2) ENFORCEMENT.—

(A) **IN GENERAL.**—In the case of contumacy or failure to obey a subpoena issued under subsection (a)(2), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(B) **ADDITIONAL ENFORCEMENT.**—Sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192 through 194) shall apply in the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this section.

(c) **CLOSED MEETINGS.**—Notwithstanding any other provision of law which would require meetings of the Commission to be open to the public, any portion of a meeting of the Commission may be closed to the public if the President determines that such portion is likely to disclose matters that could endanger national security.

(d) **CONTRACTING.**—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties under this title.

(e) **INFORMATION FROM FEDERAL AGENCIES.**—The Commission may secure directly from any department, agency, or instrumentality of the United States any information related to any inquiry of the Commission conducted under this title. Each such department, agency, or instrumentality shall, to the extent authorized by law, furnish such information directly to the Commission upon request.

(f) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) **GENERAL SERVICES ADMINISTRATION.**—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission's functions.

(2) **OTHER DEPARTMENTS AND AGENCIES.**—In addition to the assistance prescribed in paragraph (1), departments and agencies of the United States are authorized to provide to the Commission such services, funds, facilities, staff, and other support services as they may determine advisable and as may be authorized by law.

(g) **GIFTS.**—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, accept, use, and dispose of gifts or donations of services or property.

(h) **POSTAL SERVICES.**—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

(i) **POWERS OF SUBCOMMITTEES, MEMBERS, AND AGENTS.**—Any subcommittee, member, or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

SEC. 605. STAFF OF THE COMMISSION.

(a) **DIRECTOR.**—The Commission shall have a Director who shall be appointed by the Chairperson and the Vice Chairperson, acting jointly.

(b) **STAFF.**—The Chairperson, in consultation with the Vice Chairperson, may appoint additional personnel as may be necessary to enable the Commission to carry out its functions.

(c) **APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.**—The Director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5315 of title 5, United States Code. Any individual appointed under subsection (a) or (b) shall be treated as an employee for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(d) **DETAILEES.**—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(e) **CONSULTANT SERVICES.**—The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

SEC. 606. COMPENSATION AND TRAVEL EXPENSES.

(a) **COMPENSATION.**—Each member of the Commission may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

(b) **TRAVEL EXPENSES.**—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

SEC. 607. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.

The appropriate executive departments and agencies shall cooperate with the Com-

mission in expeditiously providing to the Commission members and staff appropriate security clearances in a manner consistent with existing procedures and requirements, except that no person shall be provided with access to classified information under this section who would not otherwise qualify for such security clearance.

SEC. 608. REPORTS OF THE COMMISSION; TERMINATION.

(a) **INITIAL REPORT.**—Not later than 1 year after the date of the first meeting of the Commission, the Commission shall submit to the President and Congress an initial report containing—

(1) such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members; and

(2) such findings, conclusions, and recommendations regarding the scope of jurisdiction of, and the allocation of jurisdiction among, the committees of Congress with oversight responsibilities related to the scope of the investigation of the Commission as have been agreed to by a majority of Commission members.

(b) **FINAL REPORT.**—Not later than 6 months after the submission of the initial report of the Commission, the Commission shall submit to the President and Congress a final report containing such updated findings, conclusions, and recommendations described in paragraphs (1) and (2) of subsection (a) as have been agreed to by a majority of Commission members.

(c) **NONINTERFERENCE WITH CONGRESSIONAL JOINT INQUIRY.**—Notwithstanding subsection (a), the Commission shall not submit any report of the Commission until a reasonable period after the conclusion of the Joint Inquiry of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives regarding the terrorist attacks against the United States which occurred on September 11, 2001.

(d) TERMINATION.—

(1) **IN GENERAL.**—The Commission, and all the authorities of this title, shall terminate 60 days after the date on which the final report is submitted under subsection (b).

(2) **ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.**—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the second report.

SEC. 609. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission to carry out this title \$3,000,000, to remain available until expended.

Mr. ROEMER. Mr. Chairman, I offer an amendment which is bipartisan, by Democrats and Republicans, to create a bipartisan commission, a blue ribbon commission, to look back at what happened prior to 9-11 and fix the problems, not through a political witch hunt, not through blame, but looking back to fix mistakes so we can move forward and prevent future terrorist attacks.

This is a bipartisan amendment offered by the gentleman from New Jersey (Mr. SMITH), the gentlewoman from New Jersey (Mrs. ROUKEMA), the gentleman from New York (Mr. QUINN), the gentleman from New Jersey (Mr. FERGUSON), the gentleman from California (Mr. ROHRBACHER), the gentleman from Mississippi (Mr. TAYLOR), the gentlewoman from California (Ms. PELOSI),

the gentleman from Mississippi (Mr. SHOWS), and a host of other 108 Members, including the gentleman from Washington (Mr. DICKS), distinguished former chairman; and the gentleman from Missouri (Mr. SKELTON), distinguished ranking member from Defense.

Back on 9-11, I distinctly remember just a few days after our Twin Towers were hit in New York City, going up to that site with members of the Permanent Select Committee on Intelligence. We were talking to emergency workers, family members, people affected in New York directly by these attacks. It is one of the most difficult things I think anybody can do in public life, and I can only imagine what the people themselves have been through, losing wives and husbands, brothers and sisters.

Now, we might say, why should we create this blue ribbon commission? The United States, after Pearl Harbor was attacked, it took them 11 days to create a commission to look into what happened. President Roosevelt acted and acted immediately. After Kobar Towers were attacked, we put a commission together. When the Marines were killed in Lebanon, we put a commission together. When the embassies were attacked in Africa, we put a commission together.

Why have we not put a commission together yet after we lose 3,000 Americans in the worst terrorist attack in the Nation's history? That is what I am asking. We need to do it.

Second, we will hear some arguments, maybe from some of my colleagues, that we are doing a joint inquiry with the House and the Senate. I serve on that joint inquiry, and I am very proud of it. But when we have lost 3,000 people, when this report that we read today on the House floor says that we see a host of different intelligence problems out there, language, human intelligence, analytical capabilities, too much stovepiping, not enough communications between Departments, not enough good communication between Washington and field offices, a host of problems across the board, we are not going to take another 18 months to look at these and fix them? We cannot get Lee Hamilton or George Schultz or people that know the right answers and questions and have worked on these things without elections intervening, without timelines in the way, without politics, to look at this, when we have done it almost every other time?

I think we need two looks. The joint inquiry will do a nice job, and so can this blue ribbon commission.

We also, thirdly, Mr. Chairman, will be creating a Homeland Security Department tomorrow or the next day; 170,000 people, \$20 billion, \$30 billion. We should get it right. We should make sure that that can attack our enemy who is not a sovereign state, but comprised of cells across the world, of four people. Let us make sure this commission can get it right.

Finally, Mr. Chairman, let me conclude. I recently met with a woman,

Kristen Breitweiser, who lost her husband in the attacks in 9-11. In my office, she handed me a ring that was around her finger, just like the one I have. And she said, Mr. ROEMER, I want you to help create this commission. This is my husband's ring who died at the World Trade tower when it collapsed. This is all I have left. Congress has not done anything yet to answer the questions. My daughter does not have the answers. You have done it every time in U.S. history. Why not now? Why not today, and why not build better intelligence for the future?

Mr. Chairman, I urge my colleagues to support this bipartisan blue ribbon commission.

Mr. GOSS. Mr. Chairman, I rise in opposition to the gentleman's amendment.

Mr. Chairman, I wish I could agree with everything that my colleague, the gentleman from Indiana (Mr. ROEMER), just said. I agree with a great deal of what he just said. The problem is, this is the wrong vehicle, and this is the wrong type of blue ribbon committee.

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In fact, in order to be germane to this bill, this blue ribbon committee will be limited in what it can do to just what the oversight and intelligence committees actually do. Otherwise, this would be a nongermane amendment, as we all know, and actually the intelligence committees are planning to continue doing just what they are doing. And, in fact, they are not only doing their daily job but we are doing a joint bicameral 9-11 review.

So virtually actually everything that the gentleman from Indiana (Mr. ROEMER) said this blue ribbon commission could do, is being done by the committee in their daily work and the joint committee, the 9-11 review.

I would also point out that while I agree with the gentleman's idea to have a genuine bona fide blue ribbon national committee that has much broader scope to deal with this as they did in Pearl Harbor, that would include such thing as Presidential appointees in addition to the congressional appointees, that would include such things as looking into the oversight of how Congress does its job. We should be held accountable too on the oversight committees. And a true blue ribbon commission could do that. This commission is not going to be able to do that.

What we basically have is a proposal that is a little strangled in order to comply with the germaneness rules. So what we have is a lot of duplication to what we are already doing. In fact, a lot of work that the gentleman from Georgia (Mr. CHAMBLISS) and the gentlewoman from California (Ms. Harmon) and their subcommittee did so well and so proudly, and I think it is being digested now. So we have duplicative work in part of this. Then we have a part of this that talks about a lot of provisions that I do not think are

very well crafted. I am not sure how the noninterference provision works, and we do not want to have interference with the 9-11 work that is ongoing because it is extremely important.

I know a good faith effort was made to make sure there is no interference but I am not sure that is actually the result. I think there does need to be an executive branch appointment to this. I do not think Congress should reserve the right to make all the appointees.

I think back to the Aspen Brown Commission and how it profited from having outsiders come in. I think that was a valuable lesson that I learned because that is sort of what we are looking for here, another 9-11.

I would also point out there are other committees of jurisdiction that should be involved in appointing a blue ribbon committee. We have not had hearings on that. I know there is a freestanding bill which I believe deserves to be heard by those committees. They should go through the process, and we should come out with a blue ribbon committee that actually provides the views of the working standing committees of this House and all of those who have equity in it, rather than to try at midnight on this lovely day to put together what is really sort of a jury-rigged proposal. Well-intended, I take nothing away from that.

I think, finally, the one thing I want to congratulate the gentleman for is I agree entirely with him. He is doing something which is very important here which is requiring that there be a look at intelligence architectural reform. I totally support him in that effort. I think that part of this is good, but when you add it all up, I do not think this is the right place to do what he wants to do. And I am afraid his cosponsors from New Jersey are going to be very disappointed. They are going to be delivering a product to those survivors who are also talking to me, believe me, and we have some in my district. This is not going to do the job they want because it does not have the scope to do it.

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. GOSS. I yield to the gentleman from Indiana.

Mr. ROEMER. As the Chairman knows, if we had crafted the amendment the way the gentleman would have suggested to be a bit broader, he probably would have objected to it on a point of order. And the Committee on Rules did not protect my amendment to do those very things. Does the gentleman have a suggestion?

Mr. GOSS. Reclaiming my time, there are four other chairmen and four other ranking committee members, and all the members of those committees who are counting on the rules of the House to make sure that they get their equities protected in what the gentleman is trying to propose.

And the gentleman knows, and as we have talked before, I am not opposed to

what he is trying to do. I am opposed to trying to do it in this restricted scope way that does not accomplish his purpose and adds a burden to my bill and which, frankly, I do not think will serve the purpose either of us wants.

Mr. BISHOP. Mr. Chairman, I move to strike the last word.

Mr. Chairman, last fall the committee approved a creation of an independent commission to examine all aspects of the September 11 attacks. In the course of the legislative process, that proposal was first weakened and ultimately eliminated. I supported the commission concept not because I was concerned that the intelligence committees could not review adequately the performance of the intelligence agencies in the months leading up to September 11, but because I knew that review would be limited necessarily to those agencies.

The September 11 story extends beyond the intelligence agencies, and to be told comprehensively, needs to assess the performance of agencies outside the intelligence community. A commission that is unencumbered by jurisdictional concerns could take that kind of comprehensive look at September 11.

I would hope that the House tonight would have a chance to again consider a commission proposal like the one that was approved by the Permanent Select Committee on Intelligence last year. Although that will apparently not be the case, I believe the commission amendment offered by the gentleman from Indiana (Mr. ROEMER) will make a valuable contribution to a better national understanding of the September 11 events and what is being done within the intelligence community to respond to them. Therefore, I urge the adoption of the amendment.

Mr. LAHOOD. Mr. Chairman, I move to strike the requisite number of words.

We have a blue ribbon commission. It has already been established. The gentleman is a member of it. We are standing around here for an hour praising each other about what great experts we are, what a great chairman we have, what a great ranking member we have. Does the gentleman know why? Because they are all experienced people. Some of the people having doing the work for years.

I have only been on it for 2½ years. I know the gentleman from Indiana (Mr. ROEMER) has been on it longer than that. You are an expert. In certain areas you are an expert. Yes, you are. You know you are.

I certainly think the gentlewoman from California (Ms. HARMAN) and the gentleman from Georgia (Mr. CHAMBLISS) are experts after the work they did on the anti-terrorism report that they just came out with. And no one would deny that the gentleman from Florida (Mr. GOSS) and the gentlewoman from California (Ms. PELOSI) are experts.

We have a blue ribbon commission and it has been working. We have 25

professional staff people from both sides that are working very hard on this. And the last thing we need to do is establish another commission that would take a year to establish, to hire staff. You talk about being behind the eight ball and getting answers for people, it is not going to happen.

What about the leaks? The two chairmen just sent a letter to the FBI asking for an investigation of leaks. So what are we going to do? Share information with the world? Under the Roe-mer amendment, they can subpoena people. They will have public hearings. They can bring in the CIA director, the FBI director, they will testify before the whole world. What purpose will that serve, particularly when we are trying to help the intelligence community become better at what they are doing? Not by sharing it with the world, not by having subpoena power, not by allowing people to hold public meetings.

This is a ridiculous idea, particularly given the fact that we have a blue ribbon commission by the people that are already experts in it anyway.

We had this debate a year ago in the committee. We had a real, real spirited debate and we had it here on the floor. And eventually when the bill, the conference committee from the Intelligence Committee came forward, this was not included because I think people realize what a bad idea it is. There is really a bad idea.

The gentleman talked about four commissions, and he cited them very well but what did they accomplish? I guarantee that their reports are sitting on shelves somewhere around here. What the recommendations they made, nobody could probably really cite. So I do not know what purpose they really have served.

This is a bad idea because it would take too long to establish, to hire the staff. This is a bad idea because they do have good people working on this. And the last thing I think we want is to really infringe on the ability of the intelligence community, to be subpoenaed, to testify in public, to reveal the secrets.

If people wanted to see the bill that we are going to pass here, it is not here. Do you know why? If you want to go up to the committee you can see it, but it is not here because we do not want people to know how much money we are spending, how many more people we are going to hire because that really infringes on the ability of the Permanent Select Committee on Intelligence to do their work. And yet the gentleman wants to have a commission established to shine light on 9-11.

We all want answers, and I think we will get answers. We have gotten some answers from the good report that was done by the gentlewoman from California (Ms. HARMAN) and the gentleman from Georgia (Mr. CHAMBLISS). We will get answers from our joint staff committee. We have great staff people working on that. I think the last thing

we need to do is ask distinguished Americans, who would take a long time to appoint, to come forward and do this.

I really ask Members to think about this. This is very bad for the intelligence community. It is very bad for our ability to keep secrets. It is very bad for the professional people who would have to come and testify and swear under oath, the CIA director, the FBI director, people who work in these agencies. This is just unworkable. We are going to get the answers we want. We are going to get the answers for the families of victims. I have no doubt of that because we have good people working on this. And I think in the end, we will come out with a report that will shed light and give answers to many of the things that we need to know.

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I hope Members will vote against this; and I hope when we do vote it down, this will be the end of it, and we will not have to revisit this again because this just does not make any sense for the kind of work that we do in the intelligence-gathering community.

So I ask Members to vote against this very, very bad amendment. It is a lousy amendment. It is not going to serve any purpose, and it really does not make any sense in light of all the other things we are doing around here, all the activity that is going on, all the staff that are hired and collecting information and trying to figure out what is happening.

All the members of the committee have been sitting through those 2-day-a-week full-day hearings that are going on by our joint committee. There is a lot of information. Members really have to pay attention, and to think that some blue ribbon group from around the country is going to get up to speed on this, it is going to take a year to appoint them, and then to get up to speed, it will be another 2 years with a recommendation.

Bad idea, bad amendment. Vote it down. My colleagues will be doing a favor to the intelligence community.

Mr. ANDREWS. Mr. Chairman, I move to strike the requisite number of words.

I rise in very strong support of this well-thought-out amendment. Let me preface my remarks by saying how much respect and admiration I have for the members of the Permanent Select Committee on Intelligence. I want to acknowledge the hours and hours of work they have put in, their integrity, their dedication to this process. I think they have done their country a great service, and I commend each and every member of the committee for that.

Many Members of the Chamber will remember a lot about the events of September 11, 2001, as do I. I also remember how I felt on the morning of September 12, 2001. I woke up, and the first thought that came to my mind

was that in the 11 years that I had served in this body I had voted to spend about a half a trillion dollars' worth of taxpayers' money on building an intelligence establishment; and I asked myself what role I had, what responsibility I had in what seemed to me to be a failure of that establishment to defend our country against the calamities of September 11.

I am not here tonight to point any fingers at any agency or any person. I do not know what the chain of causation was that led to the events of September 11, but here is one thing that I do know. I do know that each one of us and each Member in the other body and each institution in American government has questions that need to be asked about it and about its role.

I want to reemphasize, the leadership and work of the individuals who served on the Permanent Select Committee on Intelligence is not the point of my remarks. I wish that we all had the degree of expertise and effort that these individuals have put in, but I think we have to ask some hard questions about the House and about the other body, about what we have done, about what we have failed to do, about what policy-making institutions in this country have done dating back to 1995 and some of the other controversial decisions and policies that have been implemented.

I think we are never going to be able to go forward and put together a prospective strategy to do everything we can to avoid another calamity like the one we saw last September unless every institution is subjected to scrutiny; and with all due respect to my colleagues in this House, I do not believe that we can subject ourselves to that same kind of scrutiny because we have a vested interest in the answer to that question.

No impugning of anyone's integrity or ability, but I would simply make the point that part of this assessment of the future strategy of success for our intelligence capability must include answering the hard question, What responsibility do we have to bear for the decisions that led up to September 11? I think the question needs to be evaluated by people outside of this institution who do not stand for election and do not stand for the back and forth of the legislative process that we do.

So, again, in full respect for and commendation for the work of the Permanent Select Committee on Intelligence and its various subcommittees, I believe we need the gentleman from Indiana's (Mr. ROEMER) proposal. I think we need to have people outside of our own structure take a look at our own responsibility, and I think is the way to do it.

I would urge a "yes" vote in favor of this amendment.

Mr. HOLT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, today we have an opportunity to take an important step for the security of our Nation to establish an independent, and I want to em-

phasize that, bipartisan, and I want to emphasize that, commission, external commission that will determine where our defense and intelligence systems failed on September 11, so that we can prevent future tragedies and we can say with assurance that there were defense and intelligence system failures on September 11, and in order to identify those, we need help, for people to step back and look at it.

There is a place for the kinds of studies that the committee has done. There is a place for internal evaluations in each of the Federal agencies involved, but with the Roemer amendment, we would establish an independent commission consisting of, say, 10 Members, appointed in a bipartisan way, and the commission would report its findings and conclusions in a way that would earn the trust of the American public; and believe me, we need to do that if we are going to come up with conclusions that will be useful to America in preventing future calamities.

Some would say that investigations will be used to play politics, but this amendment is not about politics. This independent commission is about fact finding, not fault finding. We need to look at our government's weaknesses and correct them. It is our duty as legislators.

A few weeks ago, I joined a group of central New Jerseyans, principally widows and surviving family members of those who were killed in the attack on the World Trade Center. I joined them at a rally here in Washington where they were calling for just this kind of commission, and I would say any of my colleagues who spoke with those family members that day or since would understand why passing this amendment is so important.

Our government leaders from the White House keep telling the public that another terrorist attack is inevitable. It is not a question of whether, but when, they say. Well, another attack would be inevitable only if we do not learn from our previous mistakes, if we do not fully examine what went wrong prior to September 11, 2001.

I urge my colleagues to pass this amendment.

Ms. HARMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I may be in a minority of one on this floor on this subject. I was not a fan of the broad commission proposal. I am a fan of the narrower version that the gentleman from Indiana (Mr. ROEMER) is offering. I believe I am the only person on this floor and I may be the only person in the House to have served on an independent, bipartisan, external national commission on terrorism.

I was appointed by the minority leader in 1999 to serve on a 10-member commission, sounds a lot like this one, that was to investigate the terrorist threat. It was ably chaired by Ambassador L. Paul Bremer, called the Bremer Commission, and I became one of the 10 commissioners.

We reported in 2000 that we believed there could be a major terrorist attack on U.S. soil in the near future. We recommended suspending the guidelines on recruiting human assets, that have been discussed earlier, that we thought hampered their recruitment. We recommended strengthening legal authorities for FBI investigations. We recommended better monitoring of students in the U.S.

Guess what, Mr. Chairman. These were good recommendations. We testified to them in the Senate. They were printed up all over and praised on the editorial pages, and they were ignored. So I would say to the survivors of the horrific September 11 attacks that setting up a new commission may be a good idea, but it may also raise expectations that will ultimately be dashed.

That is why I like the narrow version of the commission because what the narrow version says is this commission, if it is enacted, will focus on whether the recommendations of prior commissions and the joint inquiry and the Chambliss subcommittee will be implemented.

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That, it seems to me, is a function we ought to be undertaking.

It also will talk about additional ways to make certain that the counterterrorism mission is central to all our intelligence agencies. And then it will do the thing that our chairman has just said needs doing, which is tackle the tough organizational questions of our intelligence community, which too often get ignored because they are long range and they are too hard for anyone to deal with.

So I would say to this body that in its narrower form, this commission makes a very good contribution to our work. It is not duplicative. It will not disappoint people. And I think that the gentleman from Indiana (Mr. ROEMER) has been very flexible here in revising it so that, at least in the view of this Member, it performs a more useful function than his earlier drafts. And so I am going to support the Roemer amendment.

Mr. BURR of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I truly believe tonight that none of the debate will change people's minds about how they vote on this amendment, but I think it is important that we read from the amendment itself.

In fact, this amendment says that the responsibility of this commission is to review the implementation by the intelligence community of the findings, conclusions, and recommendations of, A, the Joint Inquiry of the Select Committee on Intelligence of the Senate and the Permanent Select Committees on Intelligence of the House of Representatives regarding the terrorist attacks of September 11, 2001;

B, other reports and investigations of the House Permanent Select Committee on Intelligence of the House of

Representatives and the Senate Select Committee on Intelligence of the Senate;

C, other such executive branch, congressional, or independent commission investigations of such terrorist or the intelligence community; and make recommendations on additional actions for implementation of such findings, recommendations and conclusions. In fact, the mission of the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence.

It goes on in point (2) to say, review resource allocation and other prioritizations of the intelligence community for counterterrorism, which are current missions of the House and Senate intelligence committees;

(3) to review and recommend changes to the organization of the intelligence community, in particular the division of agencies under the jurisdiction of the Secretary of Defense and the Director of Central Intelligence. In fact, now current responsibilities of the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence.

(4) determine what technologies, procedures and capabilities are needed for the intelligence community to effectively support and conduct future counterterrorism missions, and recommend how these capabilities should be developed, acquired, or both from entities outside the intelligence community, including from private entities. Again, a current mission of the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence.

Let me just say to my colleagues that I commend the gentleman from Indiana (Mr. ROEMER). The gentleman is impassioned on this. We have a joint inquiry currently in progress of the House and Senate committees. Our hope is that by the end of the year to come to this body, the Senate, and the American people with a report, and it will be the responsibility, then, of the House and Senate committees to make sure the recommendations, to make sure the findings, to make sure the changes, to make sure the resources, and to make sure the technologies that have been identified are incorporated.

It is the core responsibility of the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence today to take up practically every point of this amendment. I would urge my colleagues, let us do our work on the House Permanent Select Committee on Intelligence without the burden of people looking over our shoulders, questioning what we are doing. Let us get to the facts, let us keep the focus that we have, let us make progress at fixing those things that we find are broken, and we will air it to the American people in the correct way.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in very strong support of this amendment by the gen-

tleman from Indiana (Mr. ROEMER). I served for 8 years on the Permanent Select Committee on Intelligence, and I have no doubt that the chairman, the gentleman from Florida (Mr. Goss), and the gentlewoman from California (Ms. PELOSI) can do a fine investigation.

What I think is important for the credibility for the American people is an independent commission, standing alone, with experts who can take a longer view. We all know what the schedule around here is like, and that Members have multiple responsibilities, and we understand the time it takes to do one of these jobs, to focus in on this and get it right.

President Roosevelt understood this after Pearl Harbor. He set up a commission, a public commission. I think that is a very good model for this.

And I would say to my friends tonight, late in the evening, does anyone have a doubt that this debate might be reversed if Al Gore were the President of the United States or if Bill Clinton were still President? I can remember all of the investigations of President Clinton, one after another. There was great energy on the other side of the aisle to have every imaginable investigation.

I can remember the Permanent Select Committee on Intelligence looking into Haiti, looking into Iranian arms to Bosnia, technology transfer to China, campaign finance reform, and impeachment.

I think the American people understand the politics of this body, and I think we will do ourselves a great service to have an independent commission looking at this so that the people of this country will have confidence that objective people have looked at it not from a political perspective.

The gentleman from California (Mr. COX) and I did a great job with our select subcommittee regarding the transfer of technology. We had a unanimous recommendation. But I could still see a commission having dealt with that. And I think on this issue, because of its importance to the country, the importance to our history, having a commission look at this that the American people can have complete faith in, I believe, is the right way to go, and I think we should all support the Roemer amendment.

Mr. SHAYS. Mr. Chairman, I move to strike the requisite number of words, and I apologize to my colleagues, because the time is getting late.

Mr. Chairman, I have 80 families who lost loved ones in 9-11; sons, daughters, fathers, mothers, sisters, brothers, husbands, wives, best friends, and they want to know why. And I want to know why.

I know it is beyond just a little part. It is Congress, it is the White House, it is a whole host of things that have to be looked at. And with no disrespect, no disrespect to the Permanent Select Committee on Intelligence, they are one part of this issue. And, frankly,

they are a part of it. They are not independent.

I chair the Subcommittee on National Security, and we had 19 hearings before 9-11. We tried as hard as we could to get someone from the CIA to testify. They came with a permission slip from the Permanent Select Committee on Intelligence that said they did not have to testify. We wanted them to come testify because we wanted to know how was the CIA talking to the FBI. My committee has jurisdiction of terrorism at home and abroad. We had jurisdiction. We wanted to know how did they communicate, and we could not get them before the committee because they had a permission slip from one of our committees saying they did not have to come.

We need an independent commission. And the gentleman from Indiana (Mr. ROEMER) is on target in what he wants to accomplish. Unfortunately, his amendment does not allow him to offer the kind of amendment he needs to, given its jurisdiction. We need a presidential commission that is independent that will tell us ultimately what we all know.

If we had just listened to what the terrorists said in Arabic, we would have known about this attack.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. SHAYS. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, on the point that the gentleman made about that this amendment is not perfect. This amendment could be perfected in the conference committee between the House and the Senate.

I would suggest to the chairman and the ranking member, if they have some problems with this particular amendment, work it out in the conference committee. That is what we have done over the years.

Mr. SHAYS. Reclaiming my time, Mr. Chairman, I think there are many ways to work it out. I ultimately believe this should be a commission of people outside Congress and outside working for the administration. It needs to be people totally independent; people like a Sam Nunn or a Warren Rudman, or some others of that status.

□ 0030

There should not be so many from the Speaker or the minority leader. We should not be saying these are our people and the other side of the aisle's people.

I believe the victims, the families of September 11, are ultimately going to get a commission because they deserve it, and so do the American people. I salute my colleague for bringing this forward, but it is not the kind of commission that I would hope we would have.

Mr. KIND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I too want to voice my strong support of the Roemer amendment being offered this evening. I believe it is the right thing to do because this is what great democracies

do; they let the sunshine in. It is never easy to air dirty laundry for anyone, or to admit to certain shortcomings or failings, but there are still many unanswered questions that the American people have.

A great democracy that derives our power by the consent of the people, that can only function if we have the faith and confidence of the people, need an independent review of what happened to our Nation on September 11. This is not without precedence. Prior Presidents have called for this when great tragedy was visited upon this country. As the gentleman from Indiana (Mr. ROEMER) acknowledged, 11 days after the attack on Pearl Harbor, President Roosevelt called for an independent commission based on the sneak attack at Pearl Harbor. President Reagan did the same thing after the Marine barracks incident in Lebanon.

Let me also state that this is not an easy amendment for the gentleman from Indiana (Mr. ROEMER) to bring. He is a distinguished member of the Permanent Select Committee on Intelligence. He, as do I, has a great deal of respect for all of our colleagues serving and working on the Permanent Select Committee on Intelligence, along with the very capable and bright staff working on that committee. This is not an indictment or questioning the work that they are doing. Yes, there is a joint review and an investigation taking place between the Senate and the House looking into the events of September 11. We should be doing that, and it is being done.

But what is a little bit sad in the course of this debate this evening is that we are having to have this discussion at 12:30 in the morning within the House of Representatives when the President of the United States himself should have been calling for the establishment of a nonpartisan, outside independent commission looking into the events of September 11. That is the type of leadership that we need right now in this country, and it can only be provided by the President of the United States.

I appreciate the concerns of the gentleman from Florida (Mr. Goss) regarding the wording of this amendment and certain restrictions that the gentleman from Indiana (Mr. ROEMER) had to meet in order to make this amendment germane so we could at least have a discussion of this important topic this evening; but if the President were to move forward by calling for a commission, certain accommodations can be made so that the commission can be comprised of a distinguished group of individuals, and we all have a list of who those people could be serving on it, that could approach this subject in a cool, dispassionate, and nonpartisan fashion.

They could conduct their work without interfering with the ongoing duties and responsibilities taking place in the Permanent Select Committee on Intel-

ligence. They could also conduct their work so that it protects the basic operation and methods of intelligence gathering so we do not air to the rest of the world, especially our enemies and future terrorists, how we gather this type of information.

These things can be done because they have been done in the past. That is why I think this amendment has merit. I think ultimately the American people will not be satisfied unless they get an objective answer by a distinguished panel of outside experts that can come in, take a look at this, take the time that they need to analyze what happened on September 11, not with the purpose to assess blame or point fingers, but to find answers so the changes that we have to make will be made.

In the next 24 hours we may be debating the greatest single change of the Federal Government in the last 55 years. The President is requesting \$40 billion for a new homeland security agency. I agree with that. We need to restructure the government to deal with current threats; but all of this will not matter if we do not get the intelligence aspect of defending our Nation and preventing future terrorist attacks right.

That has to be done. I think there is a great deal of wisdom in calling upon a group of outside experts, those who have served in the Congress, those who have devoted a lifetime of study and analysis of intelligence gathering, to give them the authority on a parallel track along with the investigation, the review that is currently taking place between the Permanent Select Committees on Intelligence, and working with the administration to learn from the mistakes of the past and then recommend the policy changes, the structural changes that we have to make and move forward on in order to enhance our intelligence-gathering capabilities in order to prevent another tragedy from occurring against the United States of America. I encourage my colleagues to support the Roemer amendment.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in very strong support of the Roemer amendment. I hope that our colleagues will join a bipartisan group of Members in voting "aye" at the end of this debate. This is a very important debate for our country. Not only do I support the Roemer amendment for an independent commission, I authored legislation for an independent commission last year. Indeed, that commission was accepted by the Permanent Select Committee on Intelligence. It was not until we came to the floor when others chimed in that my commission was changed and then struck from the bill in conference.

But I want to read from the committee bill from last year because I think it is important for the committee to know why an independent

commission is necessary. The Permanent Select Committee on Intelligence said, "The committee believes that the commission will only be successful if it is seen to be truly independent of any perceived notions about the effectiveness of the activities of the departments and agencies it will review. Appointing members with a reputation for challenging conventional wisdom, wide perspective, bold and innovative thought and broad experience in dealing with complex problems will contribute directly to instilling the commission with an independent spirit which will enhance the credibility of its work. Those given the authority to appoint members of the commission are urged to be especially sensitive to the committee's concerns in this regard."

I read this, Mr. Chairman, because I think it speaks directly to the difference between what this commission's product could be and the work of our joint inquiry. As one who has served 10 years, longer than anyone on the Permanent Select Committee on Intelligence, and I do not mean to equate longevity with expertise, certainly our distinguished chairman's reputation for knowledge in the intelligence community is unsurpassed, but that does not mean that we cannot have a disagreement about how we should go forward.

In our committee we are engaged in a joint inquiry into September 11. We owe the families affected by that tragedy some answers. We need to reduce risk to the American people, and finding out how September 11 happened will help us protect the American people.

Tomorrow we will start debate on the floor on the Department of Homeland Security which too has as its goal to reduce risk and increase safety for the American people. But there is more that we can do to give some answers to the families affected and indeed to every person in America about how we can increase safety as much as is humanly possible in the world that we live in today.

What is the harm, I ask Members, of finding out more? What is the disadvantage of having fresh eyes look at a situation? When we have had some of the family members come to visit us about the September 11 tragedy, they tell us that just a simple thing like a plane flying overhead or a warning of a suspected terrorist attack, and that is not ordinary, fills them with terror.

□ 0040

That is the goal of terrorists, of course, to fill people with terror, so that a country changes the way it conducts itself. We are a strong country. We will protect and defend the American people as we protect and defend the Constitution. In order to do that, we need the best possible information. Our joint inquiry is an excellent inquiry. Great people are at work on it. I know that we will produce an excellent

report, largely because of the leadership of the gentleman from Florida (Mr. Goss) in the House and Senator GRAHAM in the Senate and the rest of us working closely in a bipartisan fashion. We know firsthand the excellent work of the people in the intelligence community. They need answers, too, I believe, from an independent commission with fresh eyes and an entrepreneurial look at what the possibilities are.

We have reviewed in our committee the intelligence aspects. That is what the gentleman from Indiana's amendment serves to do as well. I would have hoped that he could have gotten a waiver from the Committee on Rules for a broader investigation so that we could assess the performance of every agency of government which had every responsibility. Since that is not the case, I urge our colleagues to support this narrower commission, fresh eyes, more safety. Vote "aye" on the Roemer amendment.

Mr. CHAMBLISS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. There has been some comparison with what happened at Pearl Harbor and what happened in another number of incidents around the world in recent decades, comparing that to September 11.

September 11 was not a military failure. September 11 was a massive intelligence failure. There is a marked difference. There is a difference because our intelligence community operates behind closed doors. It operates in a fashion where it needs to operate in order to gather information on terrorist groups and criminal organizations around the world. The terrorist groups around the world would love for us to open up our intelligence community to their eyes. I think that is a terrible mistake that we would be making and a bad precedent that we would be setting.

Our subcommittee has been working for the last 8 months on a report. We have a 142-page classified report on record in the Permanent Select Committee on Intelligence. We issued a nine-page summary of that report. That is the difference. There are nine pages out of 142 pages that we can talk to the American public about. In our report, we did not pat the intelligence community on the back. We criticized the intelligence community where they needed to be criticized and we pointed out where their shortfalls existed leading up to September 11.

The current bicameral committee, the joint inquiry committee, is focusing now on the plot. Our committee was a broader investigation, but the joint committee is focusing on the plot of September 11. The 19 hijackers involved, we are looking into exactly where they came from, how they got here, what their mindset was and what they did leading up to September 11.

I assure you at the end of the day when that inquiry is completed, there

will be another classified report that will be a massive document. But there will also be a summary report that the American people will have that will focus on the plot and the American people will have a very good idea of what happened leading up to September 11 in the minds of those 19 hijackers.

There has been conversation, also, publicly and it has been stated over and over here tonight that we may be subject to another attack. God forbid that we are, and our intelligence community is working better than ever today to ensure that we are not. But what if we are? Are we going to have another commission? Where is this going to lead? How many commissions are we going to wind up having for any number of particular incidents? Suppose we have successes. Are we going to have a commission to look into what we did right to disrupt a terrorist act that might have been prevented? I think we are asking ourselves tonight for the setting of a bad precedent if we do have this commission established and this commission moves towards looking at what the joint inquiry is looking at today.

I think at the end of the day when the joint inquiry is completed, every single family is going to get satisfaction out of that report in knowing what did happen leading up to September 11 and why we were unable to prevent it more so than what we were able to see in the report that was issued last week. I urge a "no" vote on this amendment, even though my friend the gentleman from Indiana (Mr. ROEMER) is very passionate and I respect his opinion on this, but I think it is the wrong way to go.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

I appreciate the chants of my colleagues, but I think you do disservice to the families when we discuss this when you suggest that somehow we should vote without a discussion of the Roemer proposal.

I cannot think of anything more important to the American people with the loss that they suffered, that all of us suffered on 9/11, than an effort to determine what happened, an effort to determine what happened by, as Ranking Member PELOSI said, fresh eyes. To simply have the same community looking at itself to make those determinations is insufficient.

The Roemer proposal is not new, radical or mysterious because the Permanent Select Committee on Intelligence has commissioned many independent studies. The gentleman suggested if you have the Roemer proposal, then everything has to be public. No, we would have classified annexes just like you have a classified annex in the report that the gentleman from California (Ms. HARMAN) and others put out the other day.

The suggestion is that it is not perfect. Gee, it has been on the table for 4

months and I have not seen anybody reach across and say, this is what we could do, this would be better, we will help you, we could get a waiver because this would be an improvement. Maybe you do not see that as your burden. But those are all institutional arguments for not doing this and they are the arguments of great institutions in decline because great institutions in decline become more and more insular. They refuse to listen to the outside. They refuse to seek outside knowledge.

The suggestion was that this would be one more report that Congress would ignore. Maybe this report would tell us that Congress failed in its duty to the American people by ignoring Hart-Rudman. Maybe there was negligence in this body by not addressing Hart-Rudman, because apparently it indicated a lot of things that we should have been paying attention to in the intelligence community but we were not.

Think of when NASA lost the space shuttle and the argument was, in and out of NASA, how this was going to be done and what had to be done to correct it and get the fleet back up and get it flying and return to our missions; all laudable goals. But think of the moment when the member of the independent commission, Dr. Feynman, took the O-ring and put it into the ice water. Think of that moment and what that meant to the American people about what was wrong with the shuttle program and assumptions that were made about temperature and launches and weather conditions, all of which could be justified but turned out to be catastrophically wrong. When other great systems, complicated systems and sophisticated systems suffer catastrophic failures, in the business world they generally turn immediately to outside experts.

When we suffered the catastrophic failure of the oil rigs in the North Sea, we immediately turned to outside experts. The Alaska pipeline. The catastrophic fire in the London subway. You say, well, that is not 9/11. But when they turned to outside experts, they found everyday practices that every day put people's lives at risk in the subway. I think it was a Georgia company that did the studies, experts in catastrophic failures. Why? Because over time they had built up practices that were at odds with the safe passage of people in the subway and it had to be redesigned.

What is the other reason this is important? There are a number of them. One, an obligation to the families as has been mentioned by so many already. There is also another obligation to the American people. The American people have a lot at stake. They have a lot on the table with the outcome of this study. What do they have on the table? They have their freedoms, because there has been much suggestion that this is simply a failure of laws, new laws that need to be enacted or old laws, and that is simply the failure.

□ 0050

That may be the case. But we do not know that yet. Yet people are being asked to given up their freedoms, people are being asked to let their neighbors spy on them, people are being asked to have their freedom of travel changed, all of which appears necessary to me. But we do not know that, because we do not know the threat assessment versus those freedoms and the failures of the system prior to that.

But somehow we cannot do this. Somehow we are told that if we have an independent review, that would be catastrophic for this system, because all of the arguments are interesting, they just do not go to the point of whether or not we are going to participate.

The CHAIRMAN pro tempore (Mr. WHITFIELD). The time of the gentleman from California (Mr. GEORGE MILLER) has expired.

(By unanimous consent, Mr. GEORGE MILLER of California was allowed to proceed for 2 additional minutes.)

Mr. GEORGE MILLER of California. Mr. Chairman, the suggestion that somehow when we all know the list of Americans who could participate in this system and their credentials and their experiences and their expertise, to suggest that somehow those Americans would be less loyal, more subject to leaks, than the existing system, I mean, the best kept secret apparently was Hart-Rudman, the best kept secret in the Nation until 9/11.

So I think we have to think about what this means. I think we have to think about what it means for the American people, what it means for the families and what it means for this institution. The day we start to suggest after a catastrophic failure like 9/11 that we cannot have an independent review of that event is the day that democracy is in decline.

We all know the mechanisms are in place to provide for the secrecy and the classification and the right to know and all the rest of that, and we all respect the importance of what that means. But those cannot be excuses for failing to discharge our obligation to the American people.

We need the Roemer amendment. We need the Roemer amendment to be perfected. That is within the purview of the Permanent Select Committee on Intelligence. I would not pretend that I could perfect it, but that is your expertise. But it is that expertise applied to the notion of a public independent review that is so important to the families of victims of 9/11, to the American people, and, ultimately, to this institution, because it is about whether or not we will have the credibility to proceed with the very difficult choices that we have yet to make about our homeland security, about our national defense and about our intelligence capabilities.

I urge support of the Roemer amendment.

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY TO THE AMENDMENT NO. 9 OFFERED BY MR. ROEMER

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of New Jersey to Amendment No. 9 offered by Mr. ROEMER:

At the end of section 602(b), as proposed to be added by the amendment, insert the following:

(4) REPRESENTATION OF FAMILY MEMBERS OF VICTIMS OF TERRORIST ATTACKS.—Of the members appointed under paragraphs (1) and (2) of subsection (a), at least one member appointed under each such paragraph shall be a member of the family, or a representative designated by such a family or families, of an individual who died in the terrorist attacks against the United States which occurred on September 11, 2001.

Mr. SMITH of New Jersey (during the reading). Mr. Chairman, I ask unanimous consent that the amendment to the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Chairman, this amendment is a friendly amendment that I offer to the Roemer amendment. It modifies the makeup of the blue ribbon commission to ensure that at least two members of the commission are family members of those who lost their lives because of the murderous attacks on September 11. This idea came out of meetings that I had and my staff had with specific widows, Kristen Breitweiser, who lost her husband Ronald, Patty Casazza, who lost her husband John, Mindi Kleinberg, who lost her husband Alan, and Lorie Van Auken, who lost her husband Kenneth.

They have asked, as have other family members, to be included, to be a part of this investigation. Why wait until conference, or some later time that may or may not materialize. The families should be included right at the passage of this legislation. They are part of this and should not be left on the outside.

They feel, frankly, after numerous meetings, that they have been neglected, that their concerns have not been adequately addressed. That is why I am offering this amendment.

I support the Roemer amendment. As a matter of fact, I just testified before the Committee on Rules asking that the more expansive version that he has proposed to be made part of the Homeland Security Act.

I would say to my colleagues, I chaired the Subcommittee on International Operations and Human Rights for 6 years. We did the Embassy Security Act. I was a prime sponsor of the bill, a \$6 billion authorization to try to beef up our embassies. That came out of the specific recommendations that Admiral Crowe made as part of the Accountability Review Board that met after the two terrible bombings of our embassies in Africa.

What we found was there were all kinds of mistakes that were made, ones that should have been anticipated, some that had been anticipated by Admiral Inman, many, many years before that, but had not been acted upon.

A blue ribbon commission, I would respectfully suggest, will give us the opportunity to bring it all together.

I was just in Berlin heading up the OSCE Parliamentary Assembly there with many Members on both sides of the aisle. I met with one of our consulars who worked in Bangladesh. He told me that 31 people had come to our consulars in Bangladesh and had requested visas for flight training. They wanted to come to the United States to learn how to fly. That was in 1999. We do not know who they are. Those records were done away with 2 years later, because of the statute of limitations on retaining those records. They may have been the very same people who found their way into this country and ended up doing the terrible deeds they did on 9/11.

This is a good amendment. Still I do not think it goes far enough. I would disagree with the gentlewoman from California about narrowing the scope. We need to expand it. We need to investigate other law enforcement agencies, the FAA, INS and all of the others. Then we could come up with a very, very comprehensive set of recommendations so there is a lesson learned.

Let me also tell my colleagues the anthrax problem hit my district, in Hamilton Township, New Jersey. Hamilton was shut down and is still shut down. I am amazed how much we still have not done in follow-up to what happened as a result of the anthrax.

I sat in on those meetings. The left hand did not know what the right hand was doing time and again. Very, very competent people, but, again, the left hand very often was unaware of what the right hand was doing, whether it be CDC, NIH, or other agencies of government. This is a good amendment. I hope you will back it.

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of New Jersey. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I thank my good friend from New Jersey for sponsoring our amendment, for supporting it, and take his amendment not only as a friendly amendment, but a family amendment that represents many of the victims of this, and I would encourage my colleagues to support this amendment.

Mr. SMITH of New Jersey. Mr. Chairman, reclaiming my time, just let me conclude, I hope that this language in this amendment grows, is expanded upon, and is more inclusive as it relates to other agencies of government. For purposes of germaneness, it had to be narrow, but this is a good place holder and a good first step.

Mr. NADLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I represent the district that had perhaps the most impact here. The World Trade Center used to stand in the middle of it, and the catastrophe that was visited on my district and on the entire country represented, among other things, a monumental and catastrophic failure of intelligence. When such a thing happens, I think it behooves us to take a complete and fresh look at it.

Look at every aspect of it. Look at every aspect of every establishment that we have to deal with that, and that includes, frankly, the way this Congress and its intelligence and other committees that are relevant deal with it. That is why I support the Roemer amendment for an independent blue ribbon commission.

Now, maybe we have not spent enough on intelligence. I have joined in the past in voting for amendments to cut the intelligence budget. Maybe we were wrong. Maybe, on the other hand, we have spent enough but we have not spent it properly. Maybe we spent too much on electronic intelligence and not enough on human intelligence. Maybe people were not talking to each other who should have been. Maybe the analytical capability was neglected in favor of just collecting huge amounts of information which could not then be analyzed in time. I do not know.

Maybe the Permanent Select Committees on Intelligence of this Congress have functioned perfectly and wonderfully, and maybe they have not, and maybe there are changes we could make in our own establishment and how we set up things. That is why we need a totally new and outside and independent look and why I support the Roemer amendment.

□ 0100

Let me also say one word in opposition to the amendment by the gentleman from New Jersey (Mr. SMITH). There are plenty of survivors and family members of victims in my district, and they certainly have a very great interest in all of this. I have supported the role of victims in commissions and on committees and so forth in determining the type of memorial to be erected in New York and the rebuilding and so forth. But the fact that someone is a relative of someone who died in the World Trade Center does not make that person an expert on intelligence, does not make that person an expert on the military; and, frankly, this commission ought to be not a commission of people who we put there sentimentally because we sympathize with their loss. It ought to be a commission of people who are experts in the things that have to be examined, experts determined by the President, by the leadership of the House and the Senate, the other body, and so forth.

So I urge Members, do not add sentimentality to this commission which will not really accomplish anything, but do approve the Roemer amendment.

Mr. BEREUTER. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the Roemer amendment.

Mr. Chairman, I think I know the direction of the debate here, but I think it is important that we not deceive ourselves. All of the impassioned comments that I have heard here in the last few minutes are for a commission that would not be created by the Roemer amendment. The Roemer amendment is a very narrow shadow of the commission that the gentleman from California described, a broad-based commission. And I would say, to the gentleman's credit, he understands this, because he had to craft something that would be germane to this legislation.

This legislation, if we take a look at the four points that are covered here, focuses exclusively on the intelligence community. The first element is to make sure that the inquiry, the joint inquiry under way is implemented. Well, that can take place only after we have seen it; but I will tell my colleagues one thing, a joint committee, or a joint inquiry by the two intelligence committees' recommendations to itself cannot be ignored by the two intelligence committees.

Now, what happened on 9-11 was certainly representative of deficiencies in the intelligence community, no doubt about that; and there may be some failures. But the biggest deficiencies, the biggest failures were in the law enforcement community, I say to my colleagues, and the relationship of the law enforcement community to the domestic agencies.

In the particular terrorist event that ravished this country on that day, both here across the river and in New York City, of course, it was the failure, the link between the FAA and the commercial airlines and the law enforcement agencies, at least the Federal law enforcement agencies. That was the failure.

The gentleman from New Jersey, just a few minutes ago, said some things that he would like to see it broadened. Well, if we are going to have a commission here, and I am not opposed to it, it is going to have to look at the whole array of problems that we had. We cannot simply look at the intelligence community. We have to look at where the response to information would be acted upon.

If we take a look at all of the agencies, a part of which are being merged under the proposed homeland security agency or department, those are all of the elements of domestic response and law enforcement that have to be there to do something with the intelligence we hope we have. We were surprised. We had deficiencies in intelligence.

I say to my colleagues, it is not going to give us the Commission that everybody here is talking about. It is not going to give us that comprehensive examination. I say it is a cruel hoax to suggest to the families of the victims

of what happened across the river and in New York City that such a commission is going to give us those answers. It is too narrowly focused. It had to be, to be offered by way of this amendment. So we may vote for it, but let us not kid each other. This is not going to do it, I say to my colleagues. It is a part of it; it is not the significant part, in my judgment.

The biggest failures that took place on 9-11 were in the law enforcement and domestic agency fronts.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. BEREUTER. I yield to the gentleman from Washington.

Mr. DICKS. But does the gentleman not agree, Mr. Chairman, that we could fix it in the conference committee between the House and Senate committees? We have done that many times in the past. If the committee wants to change this commission and make it broader, make it more effective, and cover the broad range, we could do that in the conference between the House and the Senate, and we could agree to it when the conference report comes back.

Mr. BEREUTER. Mr. Chairman, reclaiming my time, the gentleman from Florida has already pointed out the problems that this creates for the other committees of this Congress, that they should have some input in the preparation of a conference report.

Mr. HASTINGS of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have not heard much that I disagree with. As one of the more recent persons to serve on the Committee on Intelligence, I certainly would not come here to the floor of the House of Representatives and suggest that the joint select committee or the joint committee of the House and Senate that is doing the work now of looking back with reference to what happened on 9-11 will not do a good job. But a good job is not good enough in this particular situation. We need the very best.

The fact of the matter is that this group of persons who are doing the work are from inside this body and the other body. We tend to think we know everything, and no one else can tell us that we do not know everything. It is sort of like as an aside and not meant to impugn either of the States, but I lived in New York and California, and I left California thinking that Californians thought they knew everything, but I knew that New Yorkers knew they knew everything.

The fact is, we do not. And in this instance when the report is finished, which will be a magnificent work, it can become the starting point for an independent group.

Now, let me give my colleagues three things that have taken place in our history in addition to those that have pointed out how swiftly President Roosevelt, after Pearl Harbor, appointed an independent commission. We have

had in our lifetimes three significant, and there are others kinds of reports about what happens, in our government. When President Kennedy was killed, we had a select committee to do an investigation. When we found ourselves with President Nixon's problems in Watergate, we had a select committee of the House and Senate. But when we had civil rights disturbances and immense destruction in this country, we went to an independent commission that is called the Kernell Report that all of us that are old enough to remember know as the seminal report on race in America that is still looked to by all intellectuals in academia and otherwise.

Mr. DICKS. Mr. Chairman, I object. The Committee is not in order. The gentleman deserves to be heard. He is making a very eloquent statement and I think the Members ought to pay attention.

The CHAIRMAN pro tempore (Mr. WHITFIELD). The gentleman is correct. The House will be in order.

Mr. HASTINGS of Florida. Mr. Chairman, I thank my good friend and colleague from Washington and the Speaker for seeing to it that this debate itself is carried on in a manner consistent with all of our thoughts. Everybody has made major contributions and has had something here to say, and our feelings and passions run high.

What I was saying is that the Kernell Commission became the seminal report for all in America and is still looked to as the most definitive matter that has undergone a survey of race in America. That said, what have we from Watergate from our inside baseball select committee still puzzled by what transpired? I do not even have to begin to tell my colleagues the conspiracy theories that have been spawned by virtue of yet another of those inside groups of people who made a determination.

Now, I do not think we have anything to hide, and I do not think we should try to hide anything, and none of us are going to do that. None of the Members of the committee that is presently working for the House and the Senate are going to do anything other than the best that they can. These are the finest Americans that anybody could possibly expect that will look at this matter. But I can assure my colleagues that when they finish, they will not have made a determination that an independent commission of people could make, and it will not allow for the kind of credibility that all of us deserve in this country.

What happened to us is mind-numbing. It boggles the mind, as the gentleman from California (Mr. LANTOS) is fond of saying, and all of us are stunned by what transpired. We need to get beyond ourselves, and the only way to do that is to allow some other people who have an approach to this situation that may not be one that is politically motivated in some respects, yet out of the conviction of our beliefs, we think that we will have done all that is necessary.

□ 0110

We will do something, and the American public will still have questions. Let us give them more input than just those of us who represent them.

I urge this body to help us learn how we can identify and fix the problems that all of us know have been created by virtue of this awful tragedy.

Mr. ROHRBACHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Roemer amendment. Let us note tonight the gravity of what we are talking about. America has been relying on an arrogant, bloated and incompetent intelligence bureaucracy to protect us against foreign threats. We spend billions of dollars and the likes of bin Laden blindsides us and slaughters our people; 3,000 Americans were slaughtered on 9-11. And it was not a tragedy not beyond our control. It was a failure of the system and a failure of the people in the system.

bin Laden was, let us note, the number one target of American intelligence prior to that attack, the number one target of American intelligence for a year or more before that attack. Yet this operation, an operation of this magnitude with millions of dollars being spent, being transferred from one account to another, hundreds of people being involved in many different countries, yet it went undetected. The FBI, the CIA, the National Security Agency, the DIA, our intelligence community let us down.

And let us note this, they let us down in such a way that we deserve to know that everything has been done to straighten the situation up so it cannot happen again. We should all know about a major house-cleaning that has been going on in our intelligence community. I know nothing about a major house-cleaning. In fact, it appears to me that the same people are in charge in the intelligence community today as were in charge before.

We cannot go on with business as usual; and I am sorry, relying on those in this body, in the legislative branch, whose job it was to oversee American intelligence before 9-11, is not good enough. We need some outside people of prestige who we can trust to focus on this, who are not part of the system and do not feel compelled to watch out for whose turf they are standing on in terms of getting on this committee or that committee.

A new homeland defense committee is not business as usual. A new homeland defense department is not business as usual. A blue ribbon commission is not business as usual.

Tonight we heard in this discussion we heard that this proposal by the gentleman from Indiana (Mr. ROEMER) described as not a favor to the intelligence community. Well, I am not interested in doing favors to the intelligence community. The CIA and the State Department played down the threat that the Taliban posed to the

United States and to the free world. They have played down the importance of the heroin crop that was being harvested every year in Afghanistan. They have played down the role of Saudi Arabia and Pakistan with bin Laden and his terrorist gang that was becoming a fixture in Afghanistan.

And let us note, we all had briefings during that time period. Over the last several years we all had briefings by the CIA and over there in our secret room up here. How many of us felt insulted by those intelligence briefings because there was nothing secret given to us? There was nothing that gave us any more insight than what we could read in the newspaper. It is time for Congress to reassert that we are not going to stand by with "business as usual" after a tragedy of this magnitude.

This was a catastrophic failure of American intelligence. Those people who have been running American intelligence should have the decency to step down, but at the very least we need to hold them accountable. You hear time and again people saying, oh, this commission will not be assigning blame or pointing fingers? Oh, yeah. Why not? We should be assigning blame and pointing fingers. Three thousand of our citizens have been slaughtered. We have let the intelligence community keep us at arm's length for too long.

This is a free society and we will remain free as long as they know that we, as the elected officials of this land that make the policy, and not the intelligence community that will lead us around like they think we were dumb bells.

Tonight, by passing the Roemer amendment, whether or not it is the specific wording and the specific outline, we send a message that we will do something about this failure.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Might I thank the Chairman for the leadership he is showing this evening on a very important debate.

Mr. Chairman, might I associate myself with the words of my colleague from California (Mr. GEORGE MILLER), that there can be no time limit on expressing the need to tell the truth to the American people; and that is what this debate is about, Mr. Chairman. The American people need to know and deserve to know the truth. And whether or not this amendment is narrowly drawn, I agree with the gentleman from Washington (Mr. DICKS) that the wise people who will be assigned to the conference committees can expand the definition of this commission.

And might I read to my colleagues the definition or the establishment of this commission. The language says, "There is established a national commission on terrorist attacks upon the United States."

It is important that we realize that after September 11, and even before

that, we turned a new page in American history. We are subject to terrorist attacks. Before I came to this Congress I represented the family of someone who was lost in Pan Am 103, before we even understood about the terrorism that struck America through that explosion and that airplane crash. Today the family does not know all the details as to what happened and whether or not that was a terrorist attack on the United States of America.

The family of those Marines who were lost in Beirut, Lebanon, today do not know the facts about that terrorist attack.

We are in need, Mr. Chairman, of the truth. We are in need of understanding the impact on families, if you will, by investigation on what happens or what the follow-up is, if you will, on families who have been subjected to terrorist attacks by those who they lost. We need to know that. We need to understand what Coleen Rowley was speaking about.

And even though my good friend indicated that the way this is framed we will not find about why law enforcement agencies did not communicate with each other, I have confidence we can decide that in the conference committee. We need to understand why the FBI and CIA were not talking to each other, and we have the procedures in a commission structure to make sure that classified documents are not released.

Mr. Chairman, some few years ago I served as a staff person on the Select Committee on Assassination because the people wanted to know about the assassination of Martin Luther King, Jr. And they wanted to understand even better the assassination of one of their dearest Presidents, President John F. Kennedy. The American people wanted to know, and even today we realize that there are still questions about those two terrible acts.

I do not believe we get anything, Mr. Chairman, by hiding the ball. And the gentleman from Indiana (Mr. ROEMER) has drafted a very reasonable, very reasonable amendment that frames this commission seeking the expertise of those in America who understand intelligence but understand societal issues, understand psychological issues that deal with the failing that we have experienced.

□ 0120

So, Mr. Chairman, I believe that this legislation will add to that question, though I had different legislation and still believe that the Committees of Armed Services, Judiciary and International Relations should have their opportunity to review this question.

We need to know the truth, Mr. Chairman, and let me share something with my colleagues for a moment that went almost unnoticed a few days ago or maybe a week ago.

About a week ago, the U.S. attorney decided in the Virginia District to agree to a plea bargain by John Walker

Lindh. It was under the pretense that his trial would open up his opportunities or the opportunities for the American people to see and hear issues that they should not hear, that the intelligence community would be paraded before the American people in an open court. They know full well, Mr. Chairman, that they could have prevented classified information and witnesses that should not have been shown from being shown.

A decision was made. They gave Mr. John Walker Lindh 20 years. Right after that decision was made or that plea bargain was accepted, to the shock of the judge, it leaked out that he may not know that much anyhow.

What do we say to the Spann family, a member of the CIA who lost his life? What do we say to those who could have benefited from understanding and getting information that might have been helpful to us by an open airing of what happened?

I understand that this young man's family loves him and I expect for them to support him, but when his father came out and suggested that this young man was Nelson Mandela, I think we stretched it beyond recognition. It is important, Mr. Chairman, that we support this commission, support the gentleman from Indiana's (Mr. ROEMER) amendment, because the American people need to know the truth.

Mr. WELDON of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I was not going to speak on this issue, but as my colleagues know, I devote a great deal of time to our national security and issues in emerging threats, and I have done so for the past 16 years.

I heard some accusations made earlier that the problem with 9/11 was basically a domestic problem of the FBI. That is just not true, Mr. Chairman, and therefore, I rise to support this amendment.

We think we have all the answers. Let me tell my colleagues something. I think back to NIE 95-19 where the intelligence community told us that the emerging threat to our security was 15 years away. We challenged that. We challenged that through an independent commission. It was not challenged through our intelligence committee. It was challenged through the Rumsfeld Commission, five members appointed by the Republican side and four Members appointed by the Democrat side, and what did they prove? They proved the intelligence community was wrong, that NIE 95-19 was politicized, that the threat was going to be much sooner than 15 years.

The Rumsfeld Commission shared by Donald Rumsfeld led to the passage of H.R. 4, my bill on missile defense, which passed with bipartisan support and a veto-proof margin. What does that have to do with the issue at hand?

As far back as 1997, Mr. Chairman, the Committee on Armed Services pro-

posed that we merge together 33 Federal classified systems into one integrated national operations and analysis center or national collaborative capability. We proposed it in writing. Two successive defense bills had language in those bills, telling the Defense Department, the CIA and the FBI to lead the other agencies, the NRO, the NSA, Commerce State Justice, DIA to have a collaborative capability to do massive data mining, using new software tools like Starlight and Spires to do analysis, including unclassified information.

What would that have given us? Let me give my colleagues an example. When the CIA does analysis, Mr. Chairman, the CIA does an analysis but do not include open source information. In September of 2000, there was an interview in an Italian newspaper of an al Qaeda leader who publicly said that they were training Kamikaze pilots. If we would have had a data mining capability, that open source information would have been fused with the raw data of the immigration service, of the Customs Department, of the CIA and the FBI, and we would have seen the picture of what was about to occur, and this Congress called for that for three years.

Why did we not do it? Deputy Secretary of Defense John Hamre said to me, Curt, I agree with you; the problem is the CIA and the FBI will not go along with it. He said, So I have a suggestion for you, why do you not bring over the CIA and the FBI counterparts to me and let us have a meeting in your office. So I did in 1999.

The deputy director of the CIA and the deputy director of the FBI and John Hamre, deputy director of Defense, and John Hamre said I will pay the bill, I will foot the bill for this new data fusion center but the agencies have to go along. The CIA's response was we are doing CI 21, that is all we need and that was not what we were talking about. We were talking about an integrated capability of all 33 Federal classified systems.

When General Downing just stepped down at the White House, the top adviser to President Bush, what did General Downing say? He said that his top priority when he was there was to build a national data fusion center. What did he say when he left? The FBI and the CIA did not want it. So General Downing left his job and walked away.

The CIA is not above this institution. I have held myself back for too long because I have seen on the inside the agencies manipulating the process, and as someone who cares desperately about emerging threats, I am not satisfied that we in this body can do service to an investigation of our intelligence, and therefore, I come to the conclusion that the gentleman from Indiana's (Mr. ROEMER) idea is a good one because we need to send a signal to the CIA and the FBI. They are not the end all and the cure-all. They do not determine the end result of analysis and they can fuse

data and they can do it and vet information so that we do not affect an individual's civil liberties of people whose names may surface.

In fact, every major defense company, Lockheed Martin, Northrup-Grumman, Boeing, the Army at their LIWA Center down at Fort Belvoir, the Air Force, Navy and SPAWAR, special forces command down in Florida all have data fusion capabilities. They are all doing it now, but do my colleagues know who does not do it? The CIA and the FBI because they do not want to share their data. They do not want raw intercepts being provided to other agencies, and that does not give us the best intelligence analysis for the war fighter or the policy-makers.

So I urge my colleagues to do the right thing and support the Roemer amendment.

Mr. KUCINICH. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of the Roemer amendment. Mr. Chairman, 3,000 Americans died on September 11, and I think that the gravity of this situation requires the kind of an approach that the gentleman from Indiana (Mr. ROEMER) has taken in asking for the creation of a national commission on terrorist attacks upon the United States.

I have been listening to this debate both in the Chamber and from my office, and as the ranking Democrat on the oversight subcommittee that has jurisdiction over national security, I well understand the concerns that have been articulated here this evening regarding an intelligence failure, but I will also say to my friends who have advanced that position here tonight, that they can support this amendment even if they strongly believe in the capabilities of our intelligence community.

As a matter of fact, I am certain that the Roemer amendment does not stem from lack of appreciation for the work of the men and women of the CIA and the FBI. I happen to believe that our FBI and our CIA are actually very competent, and it may be and they may be working under constraints which would be of interest to the American people which could be determined by this kind of a commission.

So this debate does not have to be interpreted as an attack on our intelligence community, and I do not seek to attack those agencies. It would be helpful to determine how they can function more effectively.

One of the things that I would hope that would come from not only this debate but also the Roemer amendment, if passed, is a renewed sense of what we can do to help heal our country because I think one of the things we have to come to a conclusion about is that Americans do not need to attack each other. We have already been attacked. Let us not attack each other. If there have been failures, we can face those. We are strong enough.

One of the things that has concerned me, Mr. Chairman, is there seems to

have been some kind of a disconnect on matters of causality relating to 9/11. There are people who seem to have an aversion to looking at the actual reasons behind 9/11, and in a sense, the homeland security bill, which this House will vote on, has been brought to this House without a strategy, without a risk assessment, but with a raft of legislative initiatives preceding it such as the PATRIOT Act and acts that deal with cyber security which have caused broad-based restructuring of criminal justice principles in our society and in a challenge to civil liberties themselves, even without the analysis that a commission could offer.

□ 0130

So I certainly think that such a commission is warranted. And then maybe we can take another look at proposals to create a national spy network through the TIPS program, the proposal that the gentleman from Texas (Mr. ARMEY) fortunately rejected for a national ID card through drivers licenses; raise questions about cameras that have been put all over this campus and in other cities; questions about barricades that go up everywhere; questions about military tribunals and suspension of habeas corpus.

I mean, our way of life has been dramatically changed, and we have lacked a sufficient evaluation as to whether or not those changes have been essential to be able to challenge the root causes of 9-11. The approach has been totally reactive.

Now, I say America is a Nation of strength, and it is weakness which does not seek to know the truth. America is a Nation of courage, and it is fear which seeks not to know the truth. America is a Nation of light, and it is darkness where the truth is not asked. You shall know the truth and the truth shall set you free.

Freedom is what we seek. Freedom is what we seek to protect, freedom is what we seek to reclaim, and we will reclaim our freedom when we have a commission that will enable us to get to the truth.

Mr. WU. Mr. Chairman, I move to strike the requisite number of words. The hour is late, Mr. Chairman, and I am sicker than a dog, so brevity will have to substitute for eloquence.

It has been an aphorism in American culture, at least since the days of Benjamin Franklin, that those who will not learn from the past are doomed to repeat it. If we do not support this common sense amendment to form an independent commission to investigate exactly what happened around September 11, will we have done everything within our power to learn what happened and to avert future tragedies?

I would like each Member who is considering voting against this amendment to ask themselves to search in their heart. If there is a future recurrence, will you be able to look in your heart and say to yourself we did every-

thing we could to learn from the past and to prevent future recurrences?

I ask you to vote for this common-sense amendment to fully investigate September 11 and prevent future tragedies from occurring.

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. WU. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I thank the gentleman for yielding to me.

As the gentleman from Washington started to say, it is time to vote. We have had a good lively debate for 1:30 in the morning. We started out on a bipartisan bill in a bipartisan way with comity and respect toward one another. We have had bipartisan agreement with much of this amendment. And, Mr. Chairman, thank you for the honorable way you have conducted yourself in the chair at this late hour and this long day.

Mr. Chairman, I put the question on the Smith amendment.

The CHAIRMAN pro tempore (Mr. WHITFIELD). The question is on the amendment offered by the gentleman from New Jersey (Mr. SMITH) to the amendment offered by the gentleman from Indiana (Mr. ROEMER).

The amendment to the amendment was agreed to.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Indiana (Mr. ROEMER), as amended.

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. ROEMER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 219, noes 188, not voting 27, as follows:

[Roll No. 347]

AYES—219

Abercrombie	Clyburn	Frost
Ackerman	Conyers	Ganske
Allen	Costello	Gephardt
Andrews	Coyne	Gilchrest
Baca	Cramer	Gilman
Baird	Crowley	Gonzalez
Baldacci	Cummings	Green (TX)
Baldwin	Davis (CA)	Gutknecht
Barcia	Davis (FL)	Harman
Barr	Davis (IL)	Hastings (FL)
Barrett	DeFazio	Hill
Bartlett	DeGette	Hilleary
Becerra	Delahunt	Hilliard
Bentsen	DeLauro	Hinchee
Berkley	Deutsch	Hinojosa
Berman	Dicks	Hoefel
Berry	Dingell	Holden
Bishop	Doggett	Holt
Blagojevich	Dooley	Honda
Blumenauer	Doyle	Hooley
Borski	Duncan	Hoyer
Boswell	Edwards	Inslee
Brady (PA)	Ehrlich	Israel
Brown (FL)	Engel	Jackson (IL)
Brown (OH)	Eshoo	Jackson-Lee
Burton	Etheridge	(TX)
Capito	Evans	Jefferson
Capps	Farr	John
Capuano	Fattah	Johnson (CT)
Cardin	Ferguson	Johnson, E. B.
Carson (IN)	Filner	Jones (NC)
Carson (OK)	Ford	Jones (OH)
Clayton	Frank	Kanjorski
Clement	Frelinghuysen	Kaptur

Kennedy (RI)	Millender-	Sawyer
Kildee	McDonald	Schakowsky
Kilpatrick	Miller, George	Schiff
Kind (WI)	Mink	Scott
Klecza	Mollohan	Serrano
Kucinich	Moore	Sherman
Lampson	Moran (VA)	Shows
Langevin	Morella	Skelton
Lantos	Nadler	Smith (NJ)
Larsen (WA)	Napolitano	Snyder
Larson (CT)	Neal	Solis
LaTourette	Nethercutt	Spratt
Leach	Oberstar	Stark
Lee	Obey	Stenholm
Levin	Oliver	Strickland
Lewis (GA)	Ortiz	Stupak
Lipinski	Owens	Tancredo
LoBiondo	Pallone	Tauscher
Lofgren	Pascarell	Taylor (MS)
Lowe	Pastor	Thompson (CA)
Lucas (KY)	Payne	Thompson (MS)
Luther	Pelosi	Thurman
Lynch	Peterson (MN)	Tierney
Maloney (CT)	Phelps	Towns
Maloney (NY)	Price (NC)	Udall (CO)
Markey	Rahall	Udall (NM)
Mascara	Rangel	Velazquez
Matheson	Reyes	Visclosky
Matsui	Rivers	Waters
McCarthy (NY)	Rodriguez	Watson (CA)
McCollum	Roemer	Watt (NC)
McDermott	Rohrabacher	Waxman
McGovern	Ross	Weiner
McIntyre	Rothman	Weldon (PA)
McKinney	Roybal-Allard	Wexler
McNulty	Rush	Wolf
Meehan	Sabo	Woolsey
Meek (FL)	Sanchez	Wu
Meeks (NY)	Sanders	Wynn
Menendez	Sandlin	

NOES—188

Aderholt	Goode	Norwood
Akin	Goodlatte	Nussle
Armey	Goss	Osborne
Bachus	Graham	Ose
Baker	Granger	Oxley
Ballenger	Graves	Paul
Barton	Green (WI)	Pence
Bass	Greenwood	Peterson (PA)
Bereuter	Grucci	Petri
Biggart	Hall (TX)	Pickering
Bilirakis	Hart	Pitts
Boehlert	Hastert	Platts
Bonilla	Hastings (WA)	Pombo
Bono	Hayes	Pomeroy
Boozman	Hayworth	Portman
Boyd	Hefley	Pryce (OH)
Brady (TX)	Herger	Putnam
Brown (SC)	Hobson	Quinn
Bryant	Hoekstra	Radanovich
Burr	Horn	Ramstad
Buyer	Hostettler	Regula
Calvert	Houghton	Rehberg
Camp	Hulshof	Reynolds
Cannon	Hunter	Riley
Cantor	Hyde	Rogers (KY)
Castle	Isakson	Rogers (MI)
Chabot	Istook	Ros-Lehtinen
Chambliss	Jenkins	Royce
Coble	Johnson (IL)	Ryan (WI)
Collins	Johnson, Sam	Ryun (KS)
Cooksey	Keller	Saxton
Crane	Kelly	Schaffer
Crenshaw	Kennedy (MN)	Schrock
Cubin	Kerns	Sensenbrenner
Culberson	King (NY)	Sessions
Cunningham	Kingston	Shadegg
Davis, Jo Ann	Kirk	Shaw
Deal	Kolbe	Shays
DeLay	LaHood	Sherwood
DeMint	Latham	Shimkus
Diaz-Balart	Lewis (CA)	Shuster
Doolittle	Lewis (KY)	Simmons
Dreier	Linder	Simpson
Dunn	Lucas (OK)	Skeen
Ehlers	Manzullo	Smith (MI)
Emerson	McCrery	Smith (TX)
English	McHugh	Souder
Everett	McInnis	Sullivan
Flake	McKeon	Sununu
Fletcher	Mica	Sweeney
Foley	Miller, Dan	Tanner
Forbes	Miller, Gary	Tauzin
Fossella	Miller, Jeff	Taylor (NC)
Gallely	Moran (KS)	Terry
Gekas	Myrick	Thomas
Gibbons	Ney	Thornberry
Gillmor	Northup	Thune

Tiahrt	Walsh	Whitfield
Tiberi	Wamp	Wicker
Toomey	Watkins (OK)	Wilson (NM)
Upton	Watts (OK)	Wilson (SC)
Vitter	Weldon (FL)	Young (FL)
Walden	Weller	

NOT VOTING—27

Blunt	Davis, Tom	Murtha
Boehner	Gordon	Otter
Bonior	Gutierrez	Roukema
Boucher	Hall (OH)	Slaughter
Callahan	Hansen	Smith (WA)
Clay	Issa	Stearns
Combest	Knollenberg	Stump
Condit	LaFalce	Turner
Cox	McCarthy (MO)	Young (AK)

□ 0158

Mr. WALSH, Mr. EHLERS and Mrs. KELLY changed their vote from "aye" to "no."

Mr. HILL changed his vote from "no" to "aye."

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. MCCARTHY of Missouri: Mr. Speaker, during rollcall vote No. 347, I was unavoidably detained. Had I been present, I would have voted, "aye."

Mr. GOSS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. WHITFIELD, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4628) to authorize appropriations for fiscal year 2003 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, had come to no resolution thereon.

□ 0200

LIMITING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 4628, INTELLIGENCE AUTHORIZATION ACT OF FISCAL YEAR 2003

Mr. GOSS. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 4628 in the Committee of the Whole pursuant to House Resolution 497, no further amendment to the committee amendment in the nature of a substitute may be offered after the legislative day of July 24, 2002, except pro forma amendments offered by the chairman or ranking minority member of the Permanent Select Committee on Intelligence or their designees for the purpose of debate.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Florida?

There was no objection.

MAKING IN ORDER AT ANY TIME ON THURSDAY, JULY 25, 2002, CONSIDERATION OF CONFERENCE REPORT ON H.R. 3763, SARBANES-OXLEY ACT OF 2002

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that it be in order at any time on Thursday, July 25, 2002, to consider a conference report to accompany H.R. 3763; that the conference report be considered as read; and that all points of order against the conference report and against its consideration be waived.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PERSONAL EXPLANATION

Mr. PHELPS. Mr. Speaker, I regret that I was inadvertently detained and missed rollcall vote 343 on H.R. 4965, the Partial-Birth Abortion Ban Act of 2002. I have very strong convictions against very partial-birth abortions.

Please let the record show I would have voted yes on rollcall 343.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2003

The SPEAKER pro tempore. Pursuant to House Resolution 497 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4628.

□ 0201

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4628) to authorize appropriations for fiscal year 2003 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with Mr. WHITFIELD (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, Amendment No. 9 printed in the CONGRESSIONAL RECORD offered by the gentleman from Indiana (Mr. ROEMER) had been disposed of.

Pursuant to the order of the House of today, no further amendment to the committee amendment in the nature of a substitute may be offered after the legislative day of July 24, 2002, except pro forma amendments offered by the chairman or ranking minority member of the Permanent Select Committee on Intelligence or their designees for the purpose of debate.

AMENDMENT NO. 3 OFFERED BY MR. CHAMBLISS

Mr. CHAMBLISS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. CHAMBLISS:

At the end (page 30, after line 7), add the following new title:

TITLE VI—INFORMATION SHARING

SEC. 601. SHORT TITLE.

This title may be cited as the “Homeland Security Information Sharing Act”.

SEC. 602. FINDINGS AND SENSE OF CONGRESS.

(a) FINDINGS.—The Congress finds the following:

(1) The Federal Government is required by the Constitution to provide for the common defense, which includes terrorist attack.

(2) The Federal Government relies on State and local personnel to protect against terrorist attack.

(3) The Federal Government collects, creates, manages, and protects classified and sensitive but unclassified information to enhance homeland

(4) Some homeland security information is needed by the State and local personnel to prevent and prepare for terrorist attack.

(5) The needs of State and local personnel to have access to relevant homeland security information to combat terrorism must be reconciled with the need to preserve the protected status of such information and to protect the sources and methods used to acquire such information.

(6) Granting security clearances to certain State and local personnel is one way to facilitate the sharing of information regarding specific terrorist threats among Federal, State, and local levels of government.

(7) Methods exist to declassify, redact, or otherwise adapt classified information so it may be shared with State and local personnel without the need for granting additional security clearances.

(8) State and local personnel have capabilities and opportunities to gather information on suspicious activities and terrorist threats not possessed by Federal agencies.

(9) The Federal Government and State and local governments and agencies in other jurisdictions may benefit from such information.

(10) Federal, State, and local governments and intelligence, law enforcement, and other emergency preparation and response agencies must act in partnership to maximize the benefits of information gathering and analysis to prevent and respond to terrorist attacks.

(11) Information systems, including the National Law Enforcement Telecommunications System and the Terrorist Threat Warning System, have been established for rapid sharing of classified and sensitive but unclassified information among Federal, State, and local entities.

(12) Increased efforts to share homeland security information should avoid duplicating existing information systems.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Federal, State, and local entities should share homeland security information to the maximum extent practicable, with special emphasis on hard-to-reach urban and rural communities.

SEC. 603. FACILITATING HOMELAND SECURITY INFORMATION SHARING PROCEDURES.

(a) PROCEDURES FOR DETERMINING EXTENT OF SHARING OF HOMELAND SECURITY INFORMATION.—

(1) The President shall prescribe and implement procedures under which relevant Federal agencies determine—

(A) whether, how, and to what extent homeland security information may be shared with appropriate State and local per-

sonnel, and with which such personnel it may be shared;

(B) how to identify and safeguard homeland security information that is sensitive but unclassified; and

(C) to the extent such information is in classified form, whether, how, and to what extent to remove classified information, as appropriate, and with which such personnel it may be shared after such information is removed.

(2) The President shall ensure that such procedures apply to all agencies of the Federal Government.

(3) Such procedures shall not change the substantive requirements for the classification and safeguarding of classified information.

(4) Such procedures shall not change the requirements and authorities to protect sources and methods.

(b) PROCEDURES FOR SHARING OF HOMELAND SECURITY INFORMATION.—

(1) Under procedures prescribed by the President, all appropriate agencies, including the intelligence community, shall, through information sharing systems, share homeland security information with appropriate State and local personnel to the extent such information may be shared, as determined in accordance with subsection (a), together with assessments of the credibility of such information.

(2) Each information sharing system through which information is shared under paragraph (1) shall—

(A) have the capability to transmit unclassified or classified information, though the procedures and recipients for each capability may differ;

(B) have the capability to restrict delivery of information to specified subgroups by geographic location, type of organization, position of a recipient within an organization, or a recipient's need to know such information;

(C) be configured to allow the efficient and effective sharing of information; and

(D) be accessible to appropriate State and local personnel.

(3) The procedures prescribed under paragraph (1) shall establish conditions on the use of information shared under paragraph (1)—

(A) to limit the redissemination of such information to ensure that such information is not used for an unauthorized purpose;

(B) to ensure the security and confidentiality of such information;

(C) to protect the constitutional and statutory rights of any individuals who are subjects of such information; and

(D) to provide data integrity through the timely removal and destruction of obsolete or erroneous names and information.

(4) The procedures prescribed under paragraph (1) shall ensure, to the greatest extent practicable, that the information sharing system through which information is shared under such paragraph include existing information sharing systems, including, but not limited to, the National Law Enforcement Telecommunications System, the Regional Information Sharing System, and the Terrorist Threat Warning System of the Federal Bureau of Investigation.

(5) Each appropriate Federal agency, as determined by the President, shall have access to each information sharing system through which information is shared under paragraph (1), and shall therefore have access to all information, as appropriate, shared under such paragraph.

(6) The procedures prescribed under paragraph (1) shall ensure that appropriate State and local personnel are authorized to use such information sharing systems—

(A) to access information shared with such personnel; and

(B) to share, with others who have access to such information sharing systems, the homeland security information of their own jurisdictions, which shall be marked appropriately as pertaining to potential terrorist activity.

(7) Under procedures prescribed jointly by the Director of Central Intelligence and the Attorney General, each appropriate Federal agency, as determined by the President, shall review and assess the information shared under paragraph (6) and integrate such information with existing intelligence.

(c) SHARING OF CLASSIFIED INFORMATION AND SENSITIVE BUT UNCLASSIFIED INFORMATION WITH STATE AND LOCAL PERSONNEL.—

(1) The President shall prescribe procedures under which Federal agencies may, to the extent the President considers necessary, share with appropriate State and local personnel homeland security information that remains classified or otherwise protected after the determinations prescribed under the procedures set forth in subsection (a).

(2) It is the sense of Congress that such procedures may include one or more of the following means:

(A) Carrying out security clearance investigations with respect to appropriate State and local personnel.

(B) With respect to information that is sensitive but unclassified, entering into non-disclosure agreements with appropriate State and local personnel.

(C) Increased use of information-sharing partnerships that include appropriate State and local personnel, such as the Joint Terrorism Task Forces of the Federal Bureau of Investigation, the Anti-Terrorism Task Forces of the Department of Justice, and regional Terrorism Early Warning Groups.

(d) RESPONSIBLE OFFICIALS.—For each affected Federal agency, the head of such agency shall designate an official to administer this Act with respect to such agency.

(e) FEDERAL CONTROL OF INFORMATION.—Under procedures prescribed under this section, information obtained by a State or local government from a Federal agency under this section shall remain under the control of the Federal agency, and a State or local law authorizing or requiring such a government to disclose information shall not apply to such information.

(f) DEFINITIONS.—As used in this section:

(1) The term “homeland security information” means any information (other than information that includes individually identifiable information collected solely for statistical purposes) possessed by a Federal, State, or local agency that—

(A) relates to the threat of terrorist activity;

(B) relates to the ability to prevent, interdict, or disrupt terrorist activity;

(C) would improve the identification or investigation of a suspected terrorist or terrorist organization; or

(D) would improve the response to a terrorist act.

(2) The term “intelligence community” has the meaning given such term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(3) The term “State and local personnel” means any of the following persons involved in prevention, preparation, or response for terrorist attack:

(A) State Governors, mayors, and other locally elected officials.

(B) State and local law enforcement personnel and firefighters.

(C) Public health and medical professionals.

(D) Regional, State, and local emergency management agency personnel, including State adjutant generals.

(E) Other appropriate emergency response agency personnel.

(F) Employees of private-sector entities that affect critical infrastructure, cyber, economic, or public health security, as designated by the Federal government in procedures developed pursuant to this section.

(4) The term "State" includes the District of Columbia and any commonwealth, territory, or possession of the United States.

SEC. 604. REPORT.

(a) REPORT REQUIRED.—Not later than 12 months after the date of the enactment of this Act, the President shall submit to the congressional committees specified in subsection (b) a report on the implementation of section 603. The report shall include any recommendations for additional measures or appropriation requests, beyond the requirements of section 603, to increase the effectiveness of sharing of information between and among Federal, State, and local entities.

(b) SPECIFIED CONGRESSIONAL COMMITTEES.—The congressional committees referred to in subsection (a) are the following committees:

(1) The Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives.

(2) The Select Committee on Intelligence and the Committee on the Judiciary of the Senate.

SEC. 605. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out section 603.

SEC. 606. AUTHORITY TO SHARE GRAND JURY INFORMATION.

Rule 6(e) of the Federal Rules of Criminal Procedure is amended—

(1) in paragraph (2), by inserting ", or of guidelines jointly issued by the Attorney General and Director of Central Intelligence pursuant to Rule 6," after "Rule 6"; and

(2) in paragraph (3)—

(A) in subparagraph (A)(ii), by inserting "or of a foreign government" after "(including personnel of a state or subdivision of a state";

(B) in subparagraph (C)(i)—

(i) in subclause (I), by inserting before the semicolon the following: "or, upon a request by an attorney for the government, when sought by a foreign court or prosecutor for use in an official criminal investigation";

(ii) in subclause (IV)—

(i) by inserting "or foreign" after "may disclose a violation of State";

(II) by inserting "or of a foreign government" after "to an appropriate official of a State or subdivision of a State"; and

(III) by striking "or" at the end;

(iii) by striking the period at the end of subclause (V) and inserting "; or"; and

(iv) by adding at the end the following:

"(VI) when matters involve a threat of actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power, domestic or international sabotage, domestic or international terrorism, or clandestine intelligence gathering activities by an intelligence service or network of a foreign power or by an agent of a foreign power, within the United States or elsewhere, to any appropriate federal, state, local, or foreign government official for the purpose of preventing or responding to such a threat."; and

(C) in subparagraph (C)(iii)—

(i) by striking "Federal";

(ii) by inserting "or clause (i)(VI)" after "clause (i)(V)"; and

(iii) by adding at the end the following: "Any state, local, or foreign official who receives information pursuant to clause (i)(VI) shall use that information only consistent with such guidelines as the Attorney General

and Director of Central Intelligence shall jointly issue.".

SEC. 607. AUTHORITY TO SHARE ELECTRONIC, WIRE, AND ORAL INTERCEPTION INFORMATION.

Section 2517 of title 18, United States Code, is amended by adding at the end the following:

"(7) Any investigative or law enforcement officer, or other Federal official in carrying out official duties, who by any means authorized by this chapter, has obtained knowledge of the contents of any wire, oral, or electronic communication, or evidence derived therefrom, may disclose such contents or derivative evidence to a foreign investigative or law enforcement officer to the extent that such disclosure is appropriate to the proper performance of the official duties of the officer making or receiving the disclosure, and foreign investigative or law enforcement officers may use or disclose such contents or derivative evidence to the extent such use or disclosure is appropriate to the proper performance of their official duties.

"(8) Any investigative or law enforcement officer, or other Federal official in carrying out official duties, who by any means authorized by this chapter, has obtained knowledge of the contents of any wire, oral, or electronic communication, or evidence derived therefrom, may disclose such contents or derivative evidence to any appropriate Federal, State, local, or foreign government official to the extent that such contents or derivative evidence reveals a threat of actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power, domestic or international sabotage, domestic or international terrorism, or clandestine intelligence gathering activities by an intelligence service or network of a foreign power or by an agent of a foreign power, within the United States or elsewhere, for the purpose of preventing or responding to such a threat. Any official who receives information pursuant to this provision may use that information only as necessary in the conduct of that person's official duties subject to any limitations on the unauthorized disclosure of such information, and any State, local, or foreign official who receives information pursuant to this provision may use that information only consistent with such guidelines as the Attorney General and Director of Central Intelligence shall jointly issue.".

SEC. 608. FOREIGN INTELLIGENCE INFORMATION.

(a) DISSEMINATION AUTHORIZED.—Section 203(d)(1) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of 2001 (Public Law 107-56; 50 U.S.C. 403-5d) is amended by adding at the end the following: "Consistent with the responsibility of the Director of Central Intelligence to protect intelligence sources and methods, and the responsibility of the Attorney General to protect sensitive law enforcement information, it shall be lawful for information revealing a threat of actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power, domestic or international sabotage, domestic or international terrorism, or clandestine intelligence gathering activities by an intelligence service or network of a foreign power or by an agent of a foreign power, within the United States or elsewhere, obtained as part of a criminal investigation to be disclosed to any appropriate Federal, State, local, or foreign government official for the purpose of preventing or responding to such a threat. Any official who receives information pursuant to this provision may use that information only as necessary in the conduct of that per-

son's official duties subject to any limitations on the unauthorized disclosure of such information, and any State, local, or foreign official who receives information pursuant to this provision may use that information only consistent with such guidelines as the Attorney General and Director of Central Intelligence shall jointly issue.".

(b) CONFORMING AMENDMENTS.—Section 203(c) of that Act is amended—

Mr. CHAMBLISS. Mr. Chairman, this amendment is a very simple amendment. It is an amendment that was debated very thoroughly on the House floor some 3 weeks ago. It is an information sharing bill coauthored by the gentlewoman from California (Ms. HARMAN), myself and the gentleman from Connecticut (Mr. SHAYS), who has now joined us in offering this amendment.

Basically what this amendment does, it is in response to some information that we discovered as the Subcommittee on Terrorism and Homeland Security during our hearing process about the lack of information sharing that exists between the intelligence gatherers at the Federal level and State and local officials, who are the first responders on the site of any terrorist attack that may be perpetrated against the United States.

This bill basically requires the administration to develop an information sharing plan such that they take the individual intelligence gatherers, whether it is NSA, FBI, CIA or whoever, put it into a common funnel, and that information be redacted and declassified and disseminated out to State and local officials in real time so that those first responders on the ground can have the information necessary to be on the lookout to hopefully disrupt any terrorist activity that may be forthcoming.

Ms. HARMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am proud to be a coauthor of this amendment, which passed the House by a vote of 422 to 2 several weeks ago. I believe that every member of the Permanent Select Committee on Intelligence was an original cosponsor of the amendment. It has been a pleasure to work on it with the gentleman from Georgia, the gentleman from Connecticut and many others, and to see it become such an important legislative action of this season. By attaching it to this bill, we ensure that it becomes law sooner.

We are looking at every vehicle we can find to make certain that it will pass the Senate and be agreed upon in conference, and we do know that we have support from the administration.

I would just add that at 2 o'clock in the morning, Mr. Chairman, somewhere in America there is a terrorist cell that intends to do us harm. By having this mechanism that will share information with first responders and help them know what to look for, we are protecting the citizens of that part of America who are under threat. So I am very pleased to stand here tonight in support of this amendment. I urge its adoption quickly.

Mr. SHAYS. Mr. Chairman, will the gentlewoman yield?

Ms. HARMAN. I yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, I am delighted to join the authors of this legislation, the gentleman from Georgia (Mr. CHAMBLISS) and the gentlewoman from California (Ms. HARMAN). I am not an author, but I am a cosponsor, because at the 30 hearings my Subcommittee on National Security has had, this issue has shown up almost at every instance.

Protecting the safety and security of the Nation against terrorist attacks requires unprecedented cooperation between Federal, State and local agencies. Timely information sharing is an absolutely indispensable element of the Nation's ability to detect and preempt, disrupt or respond to any terrorist attack.

I absolutely am amazed at how stubborn the procedural process has been, the cultural barriers that have blocked the information sharing on the local level. These individuals on the local level need to have the ability to gain security clearance. We need to encourage the Federal and State to interact better.

I just commend the gentleman from Georgia (Mr. CHAMBLISS), and I commend the chairman of the Permanent Select Committee on Intelligence and ranking member for their recognizing the need for this legislation and their past support.

Mr. BISHOP. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as has been noted, this amendment is substantially the same as the Homeland Security Information Sharing Act which was overwhelmingly passed and endorsed by the House last month. I was pleased to be a cosponsor of that bill.

I commend the gentlewoman from California (Ms. HARMAN), the gentleman from Georgia (Mr. CHAMBLISS), the gentleman from Michigan (Mr. CONYERS), the gentleman from Wisconsin (Mr. SENSENBRENNER), the gentleman from Connecticut (Mr. SHAYS) and the gentleman from New York (Mr. WEINER) again for their hard work on it.

Timely and effective information is one of the most important tools in the fight against terrorism. Local communities need to be able to count on receiving that kind of information.

This amendment will help in that effort, and I certainly urge its adoption.

Mr. GOSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to thank those involved in this amendment. I know that this has been a success story already on the floor, but I am pleased it is added to the bill. I think it is important as it has been explained. I congratulate the gentlewoman from California (Ms. HARMAN), the gentleman from Georgia (Mr. CHAMBLISS) and the gentleman from Connecticut (Mr.

SHAYS). The committee accepts the amendment offered by the gentleman from Georgia (Mr. CHAMBLISS).

□ 0210

The CHAIRMAN pro tempore (Mr. WHITFIELD). The question is on the amendment offered by the gentleman from Georgia (Mr. CHAMBLISS).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MS. PELOSI

Ms. PELOSI. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Ms. PELOSI:

Amend section 501 to read as follows:

SEC. 501. USE OF FUNDS FOR COUNTER-DRUG AND COUNTERTERRORISM ACTIVITIES FOR COLOMBIA.

(a) AUTHORITY.—Funds designated for intelligence or intelligence-related purposes for assistance to the Government of Colombia for counter-drug activities for fiscal years 2002 and 2003, and any unobligated funds available to any element of the intelligence community for such activities for a prior fiscal year, shall be available to support a unified campaign against narcotics trafficking and against activities by organizations designated as terrorist organizations (such as the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and the United Self-Defense Forces of Colombia (AUC)), and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations.

(b) REQUIREMENT FOR CERTIFICATION.—(1) The authorities provided in subsection (a) shall not be exercised until the Secretary of Defense certifies to the Congress that the provisions of paragraph (2) have been complied with.

(2) In order to ensure effectiveness of United States support for such a unified campaign, prior to the exercise of the authority contained in subsection (a), the Secretary of State shall report to the appropriate committees of Congress that the newly elected President of Colombia has—

(A) committed, in writing, to establish comprehensive policies to combat illicit drug cultivation, manufacturing, and trafficking (particularly with respect to providing economic opportunities that offer viable alternatives to illicit crops) and to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations;

(B) committed, in writing, to implement significant budgetary and personnel reforms of the Colombian Armed Forces; and

(C) committed, in writing, to support substantial additional Colombian financial and other resources to implement such policies and reforms, particularly to meet the country's previous commitments under "Plan Colombia".

In this paragraph, the term "appropriate committees of Congress" means the Permanent Select Committee on Intelligence and the Committee on Appropriations of the House of Representatives and the Select Committee on Intelligence and the Committee on Appropriations of the Senate.

(c) TERMINATION OF AUTHORITY.—The authority provided in subsection (a) shall cease to be effective if the Secretary of Defense has credible evidence that the Colombian Armed Forces are not conducting vigorous operations to restore government authority and respect for human rights in areas under

the effective control of paramilitary and guerrilla organizations.

(d) APPLICATION OF CERTAIN PROVISIONS OF LAW.—Sections 556, 567, and 568 of Public Law 107-115, section 8093 of the Department of Defense Appropriations Act, 2002, and the numerical limitations on the number of United States military personnel and United States individual civilian contractors in section 3204(b)(1) of Public Law 106-246 shall be applicable to funds made available pursuant to the authority contained in subsection (a).

(e) LIMITATION ON PARTICIPATION OF UNITED STATES PERSONNEL.—No United States Armed Forces personnel or United States civilian contractor employed by the United States will participate in any combat operation in connection with assistance made available under this section, except for the purpose of acting in self defense or rescuing any United States citizen to include United States Armed Forces personnel, United States civilian employees, and civilian contractors employed by the United States.

Ms. PELOSI. Mr. Chairman, just briefly, this amendment, which I am offering with the gentleman from Florida (Mr. GOSS), has a simple purpose: to harmonize the intelligence authorization bill and the emergency supplemental appropriations conference report passed yesterday on an issue relating to Colombia. That issue is the use to which funds designated for counterdrug activities for Colombia in fiscal year 2003 and made available but not expended in previous fiscal years can be put.

When this matter was considered by the Select Committee on Intelligence, it was clear that we intended to mirror actions taken by the Committee on Appropriations in the emergency supplemental. Section 501 of the bill, which is nearly identical to the provision in the emergency supplemental as reported by the Committee on Appropriations, reflects that intention.

In conference, the Colombia provisions in the emergency supplemental were modified. These modifications condition the use of counternarcotics money for counterterrorism purposes in Colombia on certain certifications being made by the Secretaries of State and Defense and limit participation of U.S. personnel in combat operations in Colombia to instances of self-defense or the rescue of U.S. citizens. The task which remains is to bring the intelligence bill in line with the emergency supplemental on this matter. This amendment acknowledges that purpose. I am pleased to have the chairman's support for it, and I urge its adoption by the House.

Mr. GOSS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as stated in our report language, section 501 of the Intelligence Authorization Act for fiscal year 2003 regarding the use of funds for counterdrug and counterterrorism activities for Colombia is intended to be consistent with similar language included in fiscal year 2002 Defense Department appropriations bills. The gentlewoman from California has properly, rightly and helpfully offered an amendment to replace section 501 in order to conform with the language in H.R. 4775,

as voted out of conference and approved by the House on July 23, 2002. Therefore, the Committee accepts the amendment and thanks the gentlewoman for the gracious and harmonizing effort to make this all work better.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from California (Ms. PELOSI).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. GOSS

Mr. GOSS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. GOSS:

At the end of title I (page 9, after line 4), insert the following new section:

SEC. 106. LIMITATION ON USE OF CERTAIN APPROPRIATIONS FOR INTELLIGENCE AND INTELLIGENCE-RELATED ACTIVITIES.

(a) IN GENERAL.—Subject to subsection (b), the amounts requested for the Defense Emergency Response Fund that are designated for the incremental costs of intelligence and intelligence-related activities for the war on terrorism may only be obligated or expended for the intelligence and intelligence-related activities specified in the letter dated July 19, 2002 of the Deputy Director for Central Intelligence to the Permanent Select Committee on Intelligence of the House of Representatives.

(b) LIMITATIONS.—The amounts referred to in subsection (a)—

(1) may only be obligated or expended for activities directly related to identifying, responding to, or protecting against acts or threatened acts of terrorism;

(2) may not be obligated or expended to correct programmatic or fiscal deficiencies in major acquisition programs which have not achieved initial operational capabilities within two years of the date of the enactment of this Act; and

(3) may not be obligated or expended until the end of the 10-day period that begins on the date notice is provided to the Select Committee on Intelligence and the Committee on Appropriations of the Senate and the Permanent Select Committee on Intelligence and the Committee on Appropriations of the House of Representatives.

MODIFICATION TO AMENDMENT NO. 5 OFFERED BY MR. GOSS

Mr. GOSS. Mr. Chairman, I ask unanimous consent that the amendment be modified in the form at the desk, and that the modification be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Florida (Mr. GOSS) to dispense with the reading?

There was no objection.

The CHAIRMAN pro tempore. The Clerk will designate the modification.

The text of the modification is as follows:

Modification to amendment No. 5 offered by Mr. GOSS:

The amendment is modified as follows:

Strike the heading and subsection (a) of section 106, as proposed to be added by the amendment, and insert the following:

SEC. 106. LIMITATION ON INTELLIGENCE AND INTELLIGENCE-RELATED ACTIVITIES.

(a) IN GENERAL.—Subject to subsection (b), the amounts requested in the letter dated

July 03, 2002, of the President to the Speaker of the House of Representatives, related to the Defense Emergency Response Fund and that are designated for the incremental costs of intelligence and intelligence-related activities for the war on terrorism are authorized.

In subsection (b)(1) of such section, strike “may only be obligated or expended” and insert “are authorized only”.

In subsection (b)(2) of such section, strike “may not be obligated or expended” and insert “are not authorized”.

In subsection (b)(3) of such section—

(1) strike “may not be obligated or expended” and insert “are not available”; and (2) insert “written” before “notice is provided”.

The CHAIRMAN pro tempore. Is there objection to the modification offered by the gentleman from Florida (Mr. GOSS)?

There was no objection.

The CHAIRMAN pro tempore. The amendment is modified.

Mr. GOSS. Mr. Chairman, I am pleased to have the ranking member as a cosponsor of the amendment as modified. This language has been coordinated with the gentleman from California (Mr. LEWIS) on the Committee on Appropriations, and I wish to express my gratitude for his support as well.

The committee is concerned about a recent budgetary trend to use supplemental funding to cover intelligence needs not met through the regular budget process. The committee believes the practice of seeking and receiving large supplemental appropriations has become part of the expected yearly process and only grown worse with a new type of “emergency fund” created in the wake of the tragedy of September 11.

By continuing to rely on supplemental appropriations year after year, the intelligence community risks fostering a budget process that is ripe for abuse and long-term funding gaps. Moreover, the creation of the Defense Emergency Response Fund, the DERF, has further complicated matters. The Defense Emergency Response Fund was originally created to pay for emergency items that arose due to the war on terrorism, but it has now turned into just another vehicle to fund items that the intelligence community did not receive funding for through the regular budget and planning process.

It is bad budget practice and bad government to do it that way. Congressional oversight is minimized, and finally, the committee believes that the supplemental gravy train will not last.

In any sustained “crisis” action, there comes a point where short-term stopgap practices must be phased out and long-term strategic plans put into place. This amendment is meant to highlight this concern to the administration.

Ms. PELOSI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am pleased to join Chairman GOSS on this amendment. As he has explained, the amendment seeks to ensure that money authorized for in-

telligence activities in the Defense Emergency Response Fund is used for the war on terrorism. The amendment makes clear that the DERF funds are not to be used to address shortfalls in the intelligence programs not directly related to the terrorism campaign, and requires Congress to be notified before these funds are obligated or expended. I understand that the language in the amendment as modified has been worked out with the Committee on Appropriations.

Congress needs to oversee carefully the operations of the DERF. This amendment will contribute to effective oversight and I support it, and I commend the gentleman for his amendment and am pleased to join in it.

The CHAIRMAN pro tempore. The question is on the amendment, as modified, offered by the gentleman from Florida (Mr. GOSS).

The amendment, as modified, was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. ENGEL:

At the end of title III (page 21, after line 11), insert the following new section:

SEC. 311. LIMITATIONS ON ASSISTANCE TO THE PALESTINIAN SECURITY SERVICES.

(a) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 402 et seq.) is amended by adding at the end the following new section:

“LIMITATIONS ON ASSISTANCE TO THE PALESTINIAN SECURITY SERVICES

“SEC. 118. (a) PROHIBITION ON LETHAL ASSISTANCE.—Notwithstanding any other provision of law, no assistance in the form of lethal military equipment may be provided, either directly or indirectly, by any element of the intelligence community to the security services of the Palestinian Authority, or to any officials, employees or members thereof.

“(b) REQUIREMENTS FOR OTHER FORMS OF ASSISTANCE.—With respect to forms of assistance other than the provision of lethal military equipment, provided by any element of the intelligence community to the security services of the Palestinian Authority, or to any officials, employees or members thereof, such assistance may only be provided if the assistance is designed to—

“(1) reduce the number of security services of the Palestinian Authority to no more than two; and

“(2) reform such security services so that its officials, employees, and members—

“(A) respect the rule of law and human rights;

“(B) no longer fall under the command of, or report to, Yasir Arafat; and

“(C) are not compromised by, and will not support, terrorism.

“(c) QUARTERLY REPORTS ON ASSISTANCE PROVIDED SINCE 1993.—(1) Not later than 3 months after the date of the enactment of this section, the Director of Central Intelligence shall submit to the appropriate committees of Congress a report that describes all forms of assistance that have been provided to the security services of the Palestinian Authority since the date on which the Declaration of Principles was signed, including the dates on which such assistance was

provided and whether any member of the security services of the Palestinian Authority who received any such assistance has committed an act of terrorism.

“(2) After the submittal of the report under paragraph (1), the Director of Central Intelligence shall submit to the appropriate committees of Congress quarterly reports on the forms of assistance under paragraph (1) provided during the preceding calendar quarter and progress toward—

“(A) reducing the number of security services of the Palestinian Authority to no more than two;

“(B) ensuring that officials, employees, and members of such security services are not compromised by, and will not support, terrorism;

“(C) reforming the security services of the Palestinian Authority so that they respect the rule of law and human rights; and

“(D) ensuring that the security services of the Palestinian Authority are no longer under the control of Yasir Arafat.

“(3) Reports shall be submitted in unclassified form, but may include a classified annex.

“(d) DEFINITIONS.—In this section—

“(1) the term ‘lethal military equipment’ has the meaning given the term for purposes of the Foreign Assistance Act of 1961; and

“(2) the term ‘appropriate committees of Congress’ means the Permanent Select Committee on Intelligence and the Committee on International Relations of the House of Representatives and the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate.”.

(b) CLERICAL AMENDMENT.—The table of contents for the National Security Act of 1947 is amended by inserting after the item relating to section 117 the following new item:

“Sec. 118. Limitations on assistance to the security services of the Palestinian Authority.”.

Mr. ENGEL. Mr. Chairman, at the conclusion of offering this amendment, I will request to withdraw it by unanimous consent.

Mr. Chairman, 1 month ago today, President Bush, I guess 1 month ago yesterday now, President Bush made a very important speech on the Middle East. He said that the United States would support the establishment of a Palestinian state, but only if Palestinian leaders meet specific benchmarks, including reformed, noncorrupted political processes, a new leadership not compromised by terror, and a unified restructured security force.

I strongly supported the President's speech and his plan. The Palestinians need new leaders. Yasar Arafat is too compromised by terrorism, not only to fight Hamas and Islamic jihad, but to stand up to elements of the PLO itself. Under Arafat's watch, his own PLO Fatah faction, which includes the Al Aqsa Martyrs Brigade, has established a long track record of terror attacks against innocent Israeli civilians. The Palestinians deserve leaders who will stand up for their interests, not turn down peace plans like the one presented at Camp David 22 months ago.

I agree with the President that the Palestinian Authority's security apparatus must be reformed so that it can effectively fight terrorism, and I am glad that CIA Director Tenet will take personal hold of this project. The

amendment I offer, and will shortly withdraw, is in line with U.S. policy and designed to support Tenet's effort to create a functional, unified Palestinian security network by providing guidelines for his efforts.

First, the amendment would prohibit lethal assistance to the Palestinian security officials, employees or members. I have seen report after report of PA security personnel participating in or inciting acts of violence. There are some very unsavory characters throughout the Palestinian Authority, and we should not arm its security apparatus. Although I will withdraw my amendment, we must be very careful that we do not try to create a security force of people who have been behind the violence of the last 22 months or even those who have known and looked the other way.

Secondly, my amendment states that other types of U.S. assistance must be designed to promote reform in the PA security services. This is precisely what President Bush called for in his June 24 speech, and in my amendment American assistance should reduce the number of PA security services to a unified command structure and, by all means, not more than two separate units. As my colleagues are likely aware, the PA has more than 10 security services which Arafat plays off against each other for his own purposes. In fact, some have competed as to which can more effectively fight and kill innocent Israelis.

American training and other help must further be designed to reform the security service so that its members or employees respect the rule of law on human rights, are no longer commanded by Yasar Arafat, and are not compromised by terrorism. These guidelines for U.S. assistance are in line with the policy laid out by President Bush and should be the basis for CIA Director Tenet's program.

Finally, my amendment would direct the Central Intelligence Agency to report about the assistance we give the Palestinian Authority security services in the 1990s, and every 3 months thereafter, the progress we are making in reforming the Palestinian Authority security services. Even after I withdraw this amendment, consultation with Congress about our program to reform the Palestinian security services should be expanded.

Once again, I support the President's policy of reforming the Palestinian Authority and security services. The Palestinians need better leadership and a security force which will actually and faithfully strive to halt terror. While I strongly support this effort, it should not proceed without boundaries.

□ 0220

I believe that my amendment would have passed today. However, in a few days, CIA Director Tenet will send an assessment team to the region to begin analysis of what reform might require. As this process is just beginning, I have

decided that now is not the time to legislate limitations. Yet, if the process gets off track, I will be back here on the floor trying to set the program straight. In the meantime, it is my hope with this amendment, which I now ask unanimous consent to withdraw, offers a set of practical guidelines which the administration will take to heart as it works to reform the PA service.

Mr. GOSS. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from New York.

Mr. GOSS. Mr. Chairman, may I congratulate the gentleman from New York for his attention to this problem and the process. A very constructive conversation I know has taken place. I have read his amendment. I understand what he is trying to accomplish, and I appreciate his understanding and his explanation tonight of the problem we have doing it that way. I sympathize very much with what the gentleman is trying to accomplish and I hope that the people who are working on this problem will be able to get the results we both desire and I appreciate his understanding.

The CHAIRMAN. The time of the gentleman from New York (Mr. ENGEL) has expired.

(By unanimous consent, Mr. ENGEL was allowed to proceed for 2 additional minutes.)

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from California.

Ms. PELOSI. Mr. Chairman, I want to join the distinguished chairman in congratulating the gentleman from New York (Mr. ENGEL) for his leadership, not only tonight but on an ongoing basis on this very important issue, addressing violence in the Middle East and our desire for peace there. I appreciate the constructive nature of his amendment and the more constructive nature of his withdrawing it at this time and look forward to working with him to ensure an end to violence and promotion of peace in the Middle East.

Mr. ENGEL. Mr. Chairman, I now ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDMENT NO. 1 OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. ROEMER:

At the end of title III (page 21, after line 11), insert the following new section:

SEC. 311. REPORT ON ESTABLISHMENT OF A CIVILIAN LINGUIST RESERVE CORPS.

(a) REPORT.—The Secretary of Defense, acting through the Director of the National Security Education Program, shall prepare a report on the feasibility of establishing a Civilian Linguist Reserve Corps comprised of

individuals with advanced levels of proficiency in foreign languages who are United States citizens who would be available upon a call of the President to perform such service or duties with respect to such foreign languages in the Federal Government as the President may specify. In preparing the report, the Secretary shall consult with such organizations having expertise in training in foreign languages as the Secretary determines appropriate.

(b) MATTERS CONSIDERED.—

(1) IN GENERAL.—In conducting the study, the Secretary shall develop a proposal for the structure and operations of the Civilian Linguist Reserve Corps. The proposal shall establish requirements for performance of duties and levels of proficiency in foreign languages of the members of the Civilian Linguist Reserve Corps, including maintenance of language skills and specific training required for performance of duties as a linguist of the Federal Government, and shall include recommendations on such other matters as the Secretary determines appropriate.

(2) CONSIDERATION OF USE OF DEFENSE LANGUAGE INSTITUTE AND LANGUAGE REGISTRIES.—In developing the proposal under paragraph (1), the Secretary shall consider the appropriateness of using—

(A) the Defense Language Institute to conduct testing for language skills proficiency and performance, and to provide language refresher courses; and

(B) foreign language skill registries of the Department of Defense or of other agencies or departments of the United States to identify individuals with sufficient proficiency in foreign languages.

(3) CONSIDERATION OF THE MODEL OF THE RESERVE COMPONENTS OF THE ARMED FORCES.—In developing the proposal under paragraph (1), the Secretary shall consider the provisions of title 10, United States Code, establishing and governing service in the Reserve Components of the Armed Forces, as a model for the Civilian Linguist Reserve Corps.

(c) COMPLETION OF REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall submit to Congress the report prepared under subsection (a).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Defense \$300,000 to carry out this section.

(Mr. ROEMER asked and was given permission to revise and extend his remarks.)

Mr. ROEMER. Mr. Chairman, this amendment I think is noncontroversial and has been worked out previously with the distinguished chairman and the ranking member who have supported this. It is to establish a civilian linguist reserve corps. First of all, I am very grateful to the co-sponsors of the amendments the gentleman from Nevada (Mr. GIBBONS) who is extremely knowledgeable on these linguist issues and who has been very helpful in crafting this amendment; the gentleman from California (Mr. FARR) who has worked very diligently on language issues and has a distinguished institute in his State; the gentleman from Texas (Mr. REYES) and a member of our committee; and also Jim Bamford, who has also come up with some ideas.

I am also very grateful to the staff on our committee. We have said how many times how professional and dedicated and talented they are, Chris Bar-

ton on the majority side and Chris Healey on our side have been very helpful to us.

This amendment requires the Secretary of Defense acting through the National Security Education Program to prepare a report on the feasibility of establishing a civilian linguist reserve corps comprised of individuals with advanced skill levels in foreign languages.

I am not going to take the time of House at this hour. I am going to enter my statement into the record.

Mr. Chairman, I hope this is accepted as it was previously worked out and thank again the committee members for their help.

This amendment requires the Secretary of Defense, acting through the National Security Education Program, to prepare a report on the feasibility of establishing a civilian linguist reserve corps comprised of individuals with advanced skill levels in foreign languages.

The idea behind the amendment is to move forward on a promising approach to this country's multi-faceted problem of finding qualified linguists to serve in the Federal Government.

Often, the Federal Government finds it suddenly needs linguists with skills in relatively obscure languages for a relatively short-term crisis, but these linguists are not to be found among regular government employees.

A reserve corps would help ensure that individuals with skills in a wide variety of languages were trained and ready when needed to come to the aid of the government.

We would like the Secretary of Defense to give us not just a report, but an action plan that comprehensively addresses all of the issues involved in establishing a civilian linguist reserve corps.

We expect the National Security Education Program to utilize organizations with expertise in language issues to conduct this study, such as the National Foreign Language Center at the University of Maryland. This Center is a leading institution on language issues and has already begun work on how a reserve corps could be made operational.

The report should also take into account the assets that already exist in the Federal Government that might facilitate the establishment of the corps, such as the capability of the Defense Language Institute to test for language proficiency and maintenance of skills. Foreign language skill registries, such as the one proposed by the gentlemen from California, Mr. FARR, could also be the basis for drawing up a reserve corps.

I am grateful to James Bamford for his work on this issue and for proposing the idea of a reserve corps. This amendment is co-sponsored by Messrs. GIBBONS, FARR and REYES.

Mr. BISHOP. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to begin by congratulating the gentleman from Indiana (Mr. ROEMER), the gentleman from Nevada (Mr. GIBBONS), the gentleman from Texas (Mr. REYES), the gentleman from New York (Mr. BOEHLETT), and the gentleman from California (Mr. FARR) for their work on this amendment. They have been leaders on the language issue, constantly seeking creative solutions to what is a very serious problem.

Looking outside the ranks of current employees for highly skilled linguists who are willing to bring their talents to bear in an emergency situation is an idea that is well worth exploring. This amendment would permit a thorough study of the idea, which would, in turn, permit a reasoned judgment to be made on the potential.

I urge the adoption of the amendment and I congratulate those who have offered it. It is very well taken.

Mr. GIBBONS. Mr. Chairman, I move to strike the requisite number of words.

(Mr. GIBBONS asked and was given permission to revise and extend his remarks.)

Mr. GIBBONS. Mr. Chairman, I also rise in strong support of this amendment. I want to congratulate my colleague and friend from Indiana (Mr. ROEMER) for his leadership on this issue, as well as my other colleagues who are in co-sponsor of this and who have worked hard to provide a rather remarkable amendment that I think is going to do great work to improve the bill and to improve our linguistic skills. I also want to thank the chairman of the committee, the gentleman from Florida (Mr. GOSS) and the ranking member, the gentlewoman from California (Ms. PELOSI) for their work and their help on getting this amendment through.

I also want to thank one of the staff members who is not here this evening who has not been mentioned, Mr. Brant Bassett, a staff director for HUMINT committee, whose work and insight into this amendment has been very helpful.

Mr. Chairman, I have served for 6 years on the Permanent Select Committee on Intelligence, and throughout that time I have heard a constant theme, that we lack linguistic skills across the board in terms of needed languages that are going to help us identify areas that we can gather intelligence from. And as a result, this amendment is going to allow us to expand our horizons with the ability to pull together a cadre of skilled people with languages skills that we need.

Terrorists today are speaking all kinds of languages, many of which we do not have adequate levels of trained individuals in. Languages like Pashtu, Urdu, Arabic. These language skills are available out there if we pull these people together and train them in a cadre of reserve organization that allow them in a time of crisis to be drawn together, to be utilized to help this Nation do better with its intelligence needs and language skills.

With that, Mr. Chairman, I would like to conclude my remarks once again by thanking the gentleman for his leadership on this issue.

Mr. FARR of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I hope I do not have to consume 5 minutes. I just want to thank everybody who helped co-sponsor this and the committee members

who have really focused on what I think is a very important issue. I think while we are thanking them we also have to thank the desk staff would have been here all day and they have to be back here early tomorrow morning. This has been a long day, and the old adage that the mind cannot comprehend what the seat cannot endure, I hope we can continue to finish this work.

What this amendment is all about is recognizing, America has linguists and we have language teachers and we have language institutions but we have not brought them all together so we can make them skilled linguists. And in order to do that, I come from a district where we have a really relevant assets, relevant institutions to do that, to teach the languages.

The largest foreign language school in the world is the old Army language school now called the Defense Language Institute in Monterey, California, and next to it a private non-profit called the Monterey Institute of International Studies which offers the Nation's only masters degree in translation and interpretation.

The committee has clearly identified one of the most acute problems in our intelligence collection efforts and that is how do you keep training and upgrading and learning how to train with the technology that we have skilled linguists. So I applaud my colleagues on the committee on their efforts to improve our Nation's assets by calling for the Intelligence Community Language University. There can be no doubt that the time is now to stand up this new foreign language school. It does not necessarily have to be a new place at a new university so to speak. It could be a university within a university and that is what the report will inform us.

□ 0230

The committee adopted another initiative at my suggestion to foster a cooperative relationship between the National Security Education program and the Defense Language Institute to enhance the development of national security professionals and foreign area experts with high levels of foreign language proficiency.

In the effort to help the Federal Government meet the challenge of hiring linguists more quickly, I was successful in adding report language to the DOD appropriations bill and the DOD authorization bill this year to create the National Language Skills Registry. What happens is that we train people as linguists, and as long as they are in the Federal employment, we can keep track of them; but the minute they leave the Federal employment, we have no knowledge of them.

So by creating this National Foreign Language Skills Registry, it is a voluntary program where ones with these skills could be kept in a file and an electronic file, and we would know exactly where our language assets are

around the United States rather than having, as we saw last year after 9-11, the FBI director having to go out and advertise for people, people that spoke Farsi and other languages.

The Permanent Select Committee on Intelligence report will look at the national foreign language skills registry as a starting point and consider the resources of the Defense Language Institute in making its recommendation to create a civilian linguist reserve corps.

Taken together, I think my colleagues on the House Permanent Select Committee on Intelligence are taking the first real substantial step to close the gap in language capacity among our intelligence community.

I urge the adoption of this amendment, and I really want to thank our colleagues. The hour is late. They have done a marvelous job, and I appreciate their focus on this very important issue.

Mr. GOSS. Mr. Chairman I move to strike the requisite number of words.

I thank the gentleman from Indiana (Mr. ROEMER), the gentleman from Nevada (Mr. GIBBONS) and the gentleman from California (Mr. FARR) and several others I suspect have had a hand in this and they have actually made a very valuable contribution in offering this amendment to establish a civilian linguist reserve corps.

I think it is a good idea, and I think I read an article not too long ago by Jeff Porter saying that we had capabilities that were not being properly utilized in this area, and I think this is a very creative response and I am very happy to accept it.

The events of September 11, 2001, and the ongoing war against terrorism has shown us that America must have a linguistic quick response capability, and there is no reason why we cannot.

On behalf of the committee, I am very pleased to congratulate those involved in this and to accept the bipartisan amendment that we have.

The CHAIRMAN pro tempore (Mr. WHITFIELD). The question is on the amendment offered by the gentleman from Indiana (Mr. ROEMER).

The amendment was agreed to.

AMENDMENTS NO. 6 AND NO. 7 OFFERED BY MR. HASTINGS of Florida

Mr. HASTINGS of Florida. Mr. Chairman, I offer two amendments, No. 6 and No. 7, and I ask unanimous consent they be considered en bloc.

The CHAIRMAN pro tempore. The Clerk will designate the amendments.

The text of the amendments are as follows:

Amendments No. 6 and No. 7 offered by Mr. HASTINGS of Florida:

At the end of the title III (page 21, after line 11), insert the following new section:

SEC. 311. SENSE OF CONGRESS ON DIVERSITY IN THE WORKFORCE OF INTELLIGENCE COMMUNITY AGENCIES.

(a) FINDINGS.—Congress finds the following:

(1) The United States is engaged in a war against terrorism that requires the active participation of the intelligence community.

(2) Certain intelligence agencies, among them the Federal Bureau of Investigation

and the Central Intelligence Agency, have announced that they will be hiring several hundred new agents to help conduct the war on terrorism.

(3) Former Directors of the Federal Bureau of Investigation, the Central Intelligence Agency, the National Security Agency, and the Defense Intelligence Agency have stated that a more diverse intelligence community would be better equipped to gather and analyze information on diverse communities.

(4) The Central Intelligence Agency and the National Security Agency were authorized to establish an undergraduate training program for the purpose of recruiting and training minority operatives in 1987.

(5) The Defense Intelligence Agency was authorized to establish an undergraduate training program for the purpose of recruiting and training minority operatives in 1988.

(6) The National Imagery and Mapping Agency was authorized to establish an undergraduate training program for the purpose of recruiting and training minority operatives in 2000.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Director of the Federal Bureau of Investigation (with respect to the intelligence and intelligence-related activities of the Bureau), the Director of Central Intelligence, the Director of the National Security Agency, and the Director of the Defense Intelligence Agency should make the creation of a more diverse workforce a priority in hiring decisions; and

(2) the Director of Central Intelligence, the Director of National Security Agency, the Director of Defense Intelligence Agency, and the Director of National Imagery and Mapping Agency should increase their minority recruitment efforts through the undergraduate training program provided for under law.

AMENDMENT NO. 7. At the end of title III (page 21, after line 11), insert the following new section:

SEC. 311. ANNUAL REPORT ON HIRING AND RETENTION OF MINORITY EMPLOYEES IN THE INTELLIGENCE COMMUNITY.

Section 114 of the National Security Act of 1947 (50 U.S.C. 404i) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

“(c) ANNUAL REPORT ON HIRING AND RETENTION OF MINORITY EMPLOYEES.—(1) The Director of Central Intelligence shall, on an annual basis, submit to Congress a report on the employment of covered persons within each element of the intelligence community for the preceding fiscal year.

“(2) Each such report shall include disaggregated data by category of covered person from each element of the intelligence community on the following:

“(A) Of all individuals employed in the element during the fiscal year involved, the aggregate percentage of such individuals who are covered persons.

“(B) Of all individuals employed in the element during the fiscal year involved at the levels referred to in clauses (i) and (ii), the percentage of covered persons employed at such levels:

“(i) Positions at levels 1 through 15 of the General Schedule.

“(ii) Positions at levels above GS-15.

“(C) Of individuals hired by the head of the element involved during the fiscal year involved, the percentage of such individuals who are covered persons.

“(3) Each such report shall be submitted in unclassified form, but may contain a classified annex.

“(4) Nothing in this subsection shall be construed as providing for the substitution

of any similar report required under another provision of law.

“(5) In this subsection, the term ‘covered persons’ means—

“(A) racial and ethnic minorities,

“(B) women, and

“(C) individuals with disabilities.”.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Chairman, let me join those that have thanked everyone that has been involved in developing this very fine legislative undertaking, and especially thank all of the staff that have worked with all of us in developing this. Specifically I would like to thank Wendy Parker for her efforts in working with my office, as well as other members of the staff and also to thank the court reporters and the desk staff from the Clerk's office and all of those with the Speaker's office who have stayed with us throughout the night.

With the permission of the Chair, and with the ranking member designee's permission and the Chair's permission, my understanding is that neither of the amendments that I am offering are likely to be controversial, and in the interest of time, I am placing my full statement in the RECORD, and allow me, since they know that one of these measures speaks to the subject of diversity and ethnicity and helps to strengthen our ability to achieve that, as has been stated by many in the agencies that they wish to accomplish.

The other amendment facilitates the reporting, seguing off of the one that we just finished in an effort to fill some of the community's gaps in language and analytical skills, and I am submitting the statement for the RECORD.

Mr. Chairman, I rise to introduce the second of two amendments I am offering to H.R. 4628. The first calls for increased minority recruitment by the intelligence community, in an effort to fill some of that community's gaps in language and analytical skills. The second amendment facilitates Congressional oversight of that process.

Mr. Chairman, the amendment I am offering at the current moment instructs the Director of Central Intelligence to issue an annual report to Congress on the hiring and retention of minorities by the intelligence community. Such a report will allow this body to monitor the progress of the intelligence community's efforts to recruit and retain minorities.

Like my previous amendment and the underlying bills, this amendment is non-controversial. After all, intelligence agencies have been providing reports on minority hiring and retention to the House Permanent Select Committee on Intelligence since the early 1990's. My amendment simply makes the unclassified versions of those reports available to the larger Congress.

Likewise, this amendment does not in any way jeopardize our national security by revealing the number of individuals working at our various intelligence agencies. Figures published in the report would be percentages, not

absolute numbers. This provision is in keeping with current guidelines for maintaining the integrity of classified information.

Mr. Chairman, let me reiterate, minority recruitment is critical to the maintenance of our national security. Congress has a role in the maintenance of our intelligence infrastructure. That role is to provide effective oversight. This amendment will allow myself and my colleagues in this body to do just that.

I urge my colleagues to support my amendment.

Mr. Chairman, it was just 3 years ago that the Director of Central Intelligence, George Tenet, stated, and I quote:

To combat the threats our country will be facing in the decades ahead, we will need [intelligence] collectors from diverse Ethnic backgrounds and with a wide range of expertise who can think and communicate like our targets and pierce their human and technical networks. We will also need analysts whose deep knowledge of other societies, cultures and languages can bring important perspectives to intelligence assessments.

At the time that Mr. Tenet made this statement, only 11 percent of the case officers at the CIA were racial or ethnic minorities. Tragically, that number has barely changed in the intervening years.

Realize, Mr. Chairman, this country is attempting to gather information on a world which is 50 percent non-white with an intelligence apparatus that is barely 11 percent non-white.

How can we expect to understand them if we do not talk like them? How can we expect to infiltrate them if we do not look like them?

And what has the intelligence community's failure to recruit and retain minorities brought us? Today, Mr. Speaker, there are large areas of this globe where the United States is unable to collect intelligence for want of agents who possess the requisite cultural literacy and language skills. At the FBI, CIA and NSA, untranslated tapes of wiretapped conversations pile up, awaiting analysts with the proper language skills to translate them.

Right now, as we sit here in this chamber, the intelligence operation in Guantanamo Bay is bogged down by a lack of translators. This sorry state of affairs must not be allowed to persist.

My amendment expresses the sense of Congress that the directors of the CIA, DIA, NIMA and the NSA use every means at their disposal to make minority recruitment and retention a priority in their hiring decisions. The CIA, DIA, NSA, and NIMA all have Undergraduate Training Programs; a minority scholarship program introduced by former Chairman of the House Permanent Select Committee on Intelligence, Louis Stokes, in 1987. My amendment urges the directors of these agencies to use this existing program to increase minority recruitment.

Mr. Chairman, make no mistake, minority recruitment is critical to the maintenance of our national security. The passing of this amendment will send a strong message that the House of Representatives supports the goal of increasing minority representation in the intelligence community for the purpose of strengthening our intelligence infrastructure.

I urge my colleagues to support this much needed amendment.

Mr. BISHOP. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in my view, few things could contribute more to enhancing the mission success in the intelligence community than increasing diversity in the workforce. When he was on the committee, the gentleman from Florida (Mr. HASTINGS) was a leader working with the gentleman from Texas (Mr. REYES), me, along with several others, to encourage efforts by the agencies to place a priority on hiring people with diverse ethnic, religious and cultural backgrounds.

It is a tribute to his commitment that despite his absence from the committee the gentleman from Florida (Mr. HASTINGS) continues to work hard on this important issue.

With hiring being accelerated in the intelligence agencies, now is the time to make significant progress on the diversity issues by making full use of existing recruitment programs targeted on minorities, and by developing creative new ones, I am confident that such progress can be made.

The gentleman from Florida's (Mr. HASTINGS) amendments expressing the sense of Congress on diversity and in the intelligence community and requiring an annual report on hiring and retention of minority employees will contribute to this end. I commend him for this work and I urge that the amendments be adopted.

Mr. GOSS. Mr. Chairman, I move to strike the requisite number of words.

It is true that my colleague from Florida has been a champion on the Permanent Select Committee on Intelligence and elsewhere on behalf of the thoughts that these two amendments contain and that is making sure that we are getting adequate reporting back from the intelligence community on their efforts on diversification and encouraging a broader and richer, I think, capability in the community by utilizing diversification, and we have had a couple of hearings that I think have been helpful.

I know that the gentlewoman from California (Ms. PELOSI) has also been a champion in this area, and I congratulate all involved and particularly the gentleman from Florida (Mr. HASTINGS) this evening.

The fact is the intelligence community does need diversity in a very bad way. This is a global world and that message needs to continue to be reinforced. So I am very happy to accept the en bloc amendment presented by the gentleman from Florida (Mr. HASTINGS).

The one caveat I would offer is a minor caution, and that is, we have some reporting now and I want to make sure we are not creating a duplication. I would rather take what we have and make sure it is what we need and what we want rather than create another requirement. So if the gentleman from Florida (Mr. HASTINGS) will help me with that, maybe we can streamline that a little bit.

Mr. HASTINGS of Florida. Mr. Chairman, will the gentleman yield?

Mr. GOSS. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Chairman, the gentleman has my assurance that I will do everything I can to strengthen it in the way he has put forward.

Mr. GOSS. The gentleman continues to make a contribution to the committee, and we hope to see him again.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the hour is late and I would like to say more, but I do want to very enthusiastically commend the gentleman for this very important amendment.

On the committee we have had a tradition of chairman Louis Stokes, our former colleague, when he was the Chair of the committee, was a champion for promoting diversity in the intelligence community. That banner was later carried by our late colleague Congressman Julian Dixon as ranking member of the committee, and now the gentleman from Florida (Mr. HASTINGS) and others on the committee are advancing this.

All of us have worked very hard to impress upon the intelligence community the value of diversity to mission success. We want the very best people, and we want to draw upon the knowledge of other cultures, the language, the possibility, the opportunities, the personalities that are in our country and that understand the culture of other countries.

Part of the success of intelligence is understanding plans and intentions. It takes a great deal of access and imagination. Diversity brings both of those in a way that I think we are missing and have a deficit in our current intelligence resources.

□ 0240

We have tremendous resources, however. We are blessed with courageous and patriotic people who work every day to protect the American people. That resource can be improved and enhanced by the work that the gentleman from Florida (Mr. HASTINGS) is presenting here this evening.

We cannot say it enough. We need to expand the diversity of our workforce, and we need to expand the language capabilities to another issue that was addressed here this evening. We hope that the amendment of the gentleman from Florida will build upon the work of Mr. Stokes and our dear late colleague Mr. Dixon in a way that will be exponential in light of the new hires that will have to happen in light of September 11.

Again, I commend the gentleman and my distinguished chairman for agreeing to the amendment.

The CHAIRMAN pro tempore (Mr. WHITFIELD). The question is on the amendments offered by the gentleman from Florida (Mr. HASTINGS).

The amendments were agreed to.

The CHAIRMAN pro tempore. Are there other amendments?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PORTMAN) having assumed the chair, Mr. WHITFIELD, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4628) to authorize appropriations for fiscal year 2003 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, pursuant to House Resolution 497, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 4628, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2003

Mr. GOSS. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 4628, just passed, the Clerk be authorized to make such technical and conforming changes as necessary to reflect the actions of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

GENERAL LEAVE

Mr. GOSS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill (H.R. 4628) to authorize appropriations for fiscal year 2003 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 9 a.m. today.

Accordingly (at 2 o'clock and 45 minutes a.m.), the House stood in recess until approximately 9 a.m.

□ 0900

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SESSIONS) at 9 a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 4546, BOB STUMP NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2003

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 107-611) on the resolution (H. Res. 500) providing for consideration of the bill (H.R. 4546) relating to consideration of the Senate amendment to the bill (H.R. 4546) to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 107-612) on the resolution (H. Res. 501) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KNOLLENBERG (at the request of Mr. ARMEY) for today after 2:00 p.m. and July 25 on account of a death in the family.

ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly an enrolled bill of the House of the following title,

which was thereupon signed by the Speaker:

H.R. 4775. An act making supplemental appropriations for further recovery from and response to terrorist attacks on the United States for the fiscal year ending September 30, 2002, and for other purposes.

ADJOURNMENT

Mr. REYNOLDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 2 minutes a.m.), the House adjourned until today, Thursday, July 25, 2002, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8194. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting the annual report detailing test and evaluation activities of the Foreign Comparative Testing Program during FY 2001, pursuant to 10 U.S.C. 2350a(g); to the Committee on Armed Services.

8195. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Restriction on Acquisition of Vessel Propellers [DFARS Case 2002-D006] received July 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

8196. A letter from the Register Liaison Officer, DoD, Department of Defense, transmitting the Department's final rule — Enrollment of Certain Family Members of E-4 and Below into TRICARE Prime [0720-AA59] received July 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

8197. A letter from the Secretary, Department of the Treasury, transmitting the annual report on the operations of the Exchange Stabilization Fund (ESF) for fiscal year 2001, pursuant to 31 U.S.C. 5302(c)(2); to the Committee on Financial Services.

8198. A letter from the Assistant Secretary, Department of Education, transmitting Final Priorities — Rehabilitation Engineering Research Centers Program, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

8199. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Digoxin Products for Oral Use; Revocation of Conditions for Marketing [Docket Nos. 76N-0080 and 00N-1610] (RIN: 0910-AC12) received July 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8200. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Secondary Direct Food Additives Permitted for Direct Addition to Food for Human Consumption; Materials Used as Fixing Agents in the Immobilization of Enzyme Preparations [Docket No. 89F-0452] received July 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8201. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation

of Implementation Plans Tennessee: Approval of Revisions to Tennessee Implementation Plan [TN-121; TN-205-200206a; FRL-7245-7] received June 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8202. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Section 112(I) Authority for Regulating Hazardous Air Pollutants; Equivalency by Permit Provisions; National Emissions Standards for Hazardous Air Pollutants from the Pulp and Paper Industry; State of Maine [A-1-FRL-7240-7] received July 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8203. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Commonwealth of Puerto Rico: Control of Emissions from Existing Municipal Solid Waste Landfills [Region 2 Docket No. PR10-244, FRL-7246-7] received June 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8204. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans Tennessee: Approval of Revisions to Tennessee Implementation Plan [TN-121; TN-205-200206a; FRL-7245-7] received July 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8205. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to India [Transmittal No. DTC 97-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8206. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to India [Transmittal No. DTC 136-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8207. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to India [Transmittal No. DTC 144-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8208. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to India [Transmittal No. DTC 116-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8209. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to India [Transmittal No. DTC 113-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8210. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to India [Transmittal No. DTC 131-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8211. A letter from the Assistant Secretary for Legislative Affairs, Department of State,

transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Pakistan [Transmittal No. DTC 71-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8212. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Pakistan [Transmittal No. DTC 109-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8213. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Pakistan [Transmittal No. DTC 110-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8214. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 149-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8215. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 137-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8216. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Canada [Transmittal No. DTC 157-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8217. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the United Kingdom [Transmittal No. DTC 160-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8218. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Greece, Belgium, France, Israel, South Korea, the Netherlands and the United Kingdom [Transmittal No. DTC 161-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8219. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Japan [Transmittal No. DTC 139-02], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

8220. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Canada [Transmittal No. DTC 150-02], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

8221. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Germany and Turkey [Transmittal No. DTC 111-02], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

8222. A letter from the Assistant Secretary for Legislative Affairs, Department of State,

transmitting certification of a proposed transfer of major defense equipment from the Government of Germany [Transmittal RSAT-2-02], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

8223. A letter from the Director of Congressional Affairs, Central Intelligence Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8224. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8225. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, GSA, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Circular 2001-08 — received July 15, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8226. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Charter Vessel and Heatboat Permit Moratorium [Docket No. 020313055-2148-02; I.D. 021902F] (RIN: 0648-A062) received July 12, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8227. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule — Security Zone; St. Croix, U.S. Virgin Islands [CGD07-01-048] (RIN: 2115-AA97) received July 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8228. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule — Security Zones; Ports of Houston and Galveston, TX [COTP Houston Galveston-02-012] (RIN: 2115-AA97) received July 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8229. A letter from the Secretary, Department of State, transmitting a report assessing the voting practices of the governments of UN member states in the General Assembly and Security Council for 2001, and evaluating the actions and responsiveness of those governments to United States policy on issues of special importance to the United States, pursuant to 22 U.S.C. 2414a; jointly to the Committees on International Relations and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. OXLEY. Committee of Conference. Conference report on H.R. 3763. A bill to protect investors by improving the accuracy and reliability of corporate disclosures made pursuant to the securities laws, and for other purposes (Rept. 107-610). Ordered to be printed.

[Filed on July 25 (legislative day of July 24), 2002]

Mrs. MYRICK. Committee on Rules. House Resolution 500. Resolution relating to consideration of the Senate amendment to the bill (H.R. 4546) to authorize appropriations for fiscal year 2003 for military activities of

the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes (Rept. 107-611). Referred to the House Calendar.

Ms. PRYCE of Ohio. Committee on Rules. House Resolution 501. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 107-612). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. OBERSTAR (for himself, Mr. DINGELL, Mr. DEFAZIO, and Mr. BORSKI):

H.R. 5194. A bill to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States; to the Committee on Transportation and Infrastructure.

By Mr. COBLE (for himself and Mr. WILSON of South Carolina):

H.R. 5195. A bill to amend title 10 and title 14, United States Code, and the Merchant Marine Act, 1936, to increase the period of the service obligation for graduates of the military service academies, the Coast Guard Academy, and the United States Merchant Marine Academy; to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JO ANN DAVIS of Virginia (for herself and Mr. TAYLOR of Mississippi):

H.R. 5196. A bill to declare, under the authority of Congress under Article I, section 8 of the Constitution to "provide and maintain a Navy", a national policy for the naval force structure required in order to "provide for the common defense" of the United States throughout the 21st century; to the Committee on Armed Services.

By Mr. DEMINT (for himself, Mr. ETHERIDGE, Mr. SPRATT, Mr. BALLENGER, Mr. THUNE, Mr. HAYES, Mr. PRICE of North Carolina, and Mr. MATHESON):

H.R. 5197. A bill to provide emergency assistance to certain small business concerns that have suffered substantial economic harm from drought; to the Committee on Small Business.

By Mr. DOOLITTLE:

H.R. 5198. A bill to amend the Small Business Investment Act of 1958 to allow certain premier certified lenders to elect to maintain an alternative loss reserve; to the Committee on Small Business.

By Ms. DUNN (for herself, Mr. McDERMOTT, Mr. DICKS, Mr. LARSEN of Washington, Mr. SMITH of Washington, Mr. NETHERCUTT, Mr. INSLEE, and Mr. HASTINGS of Washington):

H.R. 5199. A bill to amend the Internal Revenue Code of 1986 to exempt certain United States international ports from the harbor maintenance tax; to the Committee on Ways and Means.

By Mr. GIBBONS:

H.R. 5200. A bill to establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes; to the Committee on Resources.

By Mr. GILLMOR (for himself, Mr. REGULA, Mr. HALL of Ohio, Mr. OXLEY, and Mr. SAWYER):

H.R. 5201. A bill to designate the Federal building located at 111 West Washington Street in Bowling Green, Ohio, as the "Delbert L. Latta Federal Building"; to the Committee on Transportation and Infrastructure.

By Mr. HALL of Ohio:

H.R. 5202. A bill to amend title 38, United States Code, to provide for preservation and protection of historic buildings under the jurisdiction of the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HULSHOF:

H.R. 5203. A bill to provide that the education savings incentives of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall be permanent, and for other purposes; to the Committee on Ways and Means.

By Ms. LEE:

H.R. 5204. A bill to provide for coverage of hormone replacement therapy and alternative treatments for hormone replacement therapy (HRT) under the Medicare and Medicaid programs, group health plans and individual health insurance coverage, and other Federal health insurance programs; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, Government Reform, Veterans' Affairs, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA:

H.R. 5205. A bill to amend the District of Columbia Retirement Protection Act of 1997 to permit the Secretary of the Treasury to use estimated amounts in determining the service longevity component of the Federal benefit payment required to be paid under such Act to certain retirees of the Metropolitan Police Department of the District of Columbia; to the Committee on Government Reform.

By Mr. OSBORNE:

H.R. 5206. A bill to authorize the Secretary of Agriculture to enter into cooperative agreements and contracts with the Nebraska State Forester to carry out watershed restoration and protection activities on National Forest System land in the State of Nebraska; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAMSTAD:

H.R. 5207. A bill to designate the facility of the United States Postal Service located at 6101 West Old Shakopee Road in Bloomington, Minnesota, as the "Thomas E. Burnett, Jr. Post Office Building"; to the Committee on Government Reform.

By Mr. REYES (for himself, Mr. FILNER, Mr. PASTOR, Mr. HINOJOSA, Mr. RODRIGUEZ, and Mr. ORTIZ):

H.R. 5208. A bill to establish an Adult Job Corps demonstration program for the United States-Mexico border area; to the Committee on Education and the Workforce.

By Mr. ROEMER (for himself, Mr. GIBBONS, Mr. CASTLE, and Mr. REYES):

H.R. 5209. A bill to authorize additional funding for the National Security Education Program, to establish the National Flagship

Language Initiative under such Program, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Armed Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. RIVERS:

H.R. 5210. A bill to amend the Solid Waste Disposal Act to require implementation by brand owners of management plans that provide refund values for certain beverage containers; to the Committee on Energy and Commerce.

By Mr. LYNCH:

H.J. Res. 107. A joint resolution to commend Sail Boston for its continuing advancement of the maritime heritage of nations, its commemoration of the nautical history of the United States, and its promotion, encouragement, and support of young cadets through training; to the Committee on Transportation and Infrastructure, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Michigan:

H. Con. Res. 446. Concurrent resolution expressing the sense of Congress regarding the establishment of a College Savings Month; to the Committee on Government Reform.

By Ms. WOOLSEY (for herself, Mr. HILLIARD, Ms. LEE, and Mr. LANTOS):

H. Con. Res. 447. Concurrent resolution expressing the sense of the Congress regarding the Chinese Government's oppression of Falun Gong in the United States and in the People's Republic of China; to the Committee on International Relations, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAPUANO:

H. Res. 499. A resolution condemning attempts to boycott Israeli scientific institutions and scholars; to the Committee on Education and the Workforce.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

342. The SPEAKER presented a memorial of the Senate of the State of Texas, relative to Senate Resolution No. 1206 memorializing the Congress of the United States to bestow on Doris Miller the Congressional Medal of Honor; to the Committee on Armed Services.

343. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 241 memorializing the Congress of the United States to call upon the United States Supreme Court to overturn the 9th U.S. Circuit Court of Appeals decision to ban the recital of the Pledge of Allegiance in public schools; to the Committee on the Judiciary.

344. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 58 memorializing the Congress of the United States to adopt and place on the ballot a national referendum on a constitutional amendment to allow voluntary prayer in schools; to the Committee on the Judiciary.

345. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 91 memorializing the Congress of the United States to enact enabling legislation that would permit state regulation of

interisland air carriers by an Air Carrier Commission pursuant to Act 332, Session Laws of Hawaii 1993; to the Committee on Transportation and Infrastructure.

346. Also, a memorial of the Legislature of the State of Alaska, relative to Senate Joint Resolution No. 31 memorializing the Congress of the United States to support H.R. 959 and S. 615 to remove the portion of the Internal Revenue Code which restricts access to state veterans' home loan programs for veterans who served after 1976 so they and their families may enjoy the same benefits as their earlier counterparts; to the Committee on Ways and Means.

347. Also, a memorial of the Legislature of the State of Michigan, relative to Senate Concurrent Resolution No. 53 memorializing the Congress of the United States to turn over the management of federal forest lands to the states through a block grant program; jointly to the Committees on Agriculture and Resources.

348. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 91 memorializing the Congress of the United States to express full support to the efforts of the Louisiana Congressional Delegation for the creation of a Center of Excellence in Biological and Chemical Warfare Medicine in Louisiana; jointly to the Committees on Energy and Commerce and Agriculture.

349. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 576 memorializing the Congress of the United States to permanently eliminate the 15% cut in the Medicare home health benefit and extend the 10% rural add-on to Medicare home health providers; jointly to the Committees on Ways and Means and Energy and Commerce.

350. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 210 memorializing the Congress of the United States to permanently eliminate the 15% cut in the Medicare home health benefit and extend the 10% rural add-on to Medicare home health providers; jointly to the Committees on Ways and Means and Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 187: Mr. BALDACCIO and Mr. PHELPS.
H.R. 218: Mr. OBERSTAR.
H.R. 537: Mr. SANDERS.
H.R. 548: Mr. TOM DAVIS of Virginia, Mr. ROGERS of Kentucky, and Mr. TIBERI.
H.R. 747: Mr. FARR of California.
H.R. 818: Mrs. MINK of Hawaii, Mr. ENGLISH, Mr. HASTINGS of Florida, and Ms. KILPATRICK.
H.R. 870: Mr. HILLEARY.
H.R. 1109: Mr. WHITFIELD.
H.R. 1184: Mr. BAIRD.
H.R. 1232: Mr. CARSON of Oklahoma.
H.R. 1294: Mrs. MALONEY of New York, Mr. BOYD, and Mr. RAHALL.
H.R. 1786: Mr. POMEROY.
H.R. 1928: Mr. PRICE of North Carolina.
H.R. 1943: Mr. SCHAFER.
H.R. 1990: Mr. UDALL of New Mexico.
H.R. 2037: Mr. BOSWELL.
H.R. 2160: Mr. BACA.
H.R. 2161: Mrs. JO ANN DAVIS of Virginia.
H.R. 2232: Mr. SANDERS, Mr. OWENS, Ms. KILPATRICK, and Mr. DOOLEY of California.
H.R. 2357: Mr. BARCIA.
H.R. 2380: Mr. LYNCH.
H.R. 2442: Mr. FILNER and Mr. ROSS.
H.R. 2520: Ms. PELOSI.

H.R. 2527: Mr. OWENS, Mr. OSBORNE, and Mr. OXLEY.

H.R. 2570: Mr. MEEKS of New York and Mr. LEWIS of Georgia.

H.R. 2691: Ms. NORTON.

H.R. 2820: Mr. BOSWELL.

H.R. 2886: Mr. BACA.

H.R. 3154: Mr. MATHESON.

H.R. 3320: Mr. FORBES and Mr. LATHAM.

H.R. 3449: Mr. BLUMENAUER.

H.R. 3533: Mrs. NORTHUP and Mr. HOEKSTRA.

H.R. 3545: Mr. EVANS, Ms. MILLENDER-MCDONALD, and Ms. VELAZQUEZ.

H.R. 3584: Mr. ACKERMAN.

H.R. 3805: Mr. LATHAM.

H.R. 3880: Mr. CROWLEY.

H.R. 3974: Mr. MEEKS of New York and Mrs. MEEK of Florida.

H.R. 4033: Mr. PASTOR.

H.R. 4058: Mr. BECERRA.

H.R. 4483: Mr. FROST.

H.R. 4554: Mr. WEXLER.

H.R. 4582: Mr. WILSON of South Carolina.

H.R. 4600: Mr. SHADEGG, Mr. CALVERT, and Mr. RYAN of Wisconsin.

H.R. 4604: Mr. GRUCCI.

H.R. 4646: Mr. FARR of California, Mr. WAXMAN, and Mr. JEFFERSON.

H.R. 4653: Mr. JENKINS.

H.R. 4665: Ms. WATERS.

H.R. 4711: Ms. MCKINNEY.

H.R. 4720: Mr. HALL of Texas.

H.R. 4728: Ms. BERKLEY and Mrs. NAPOLITANO.

H.R. 4738: Mr. TOM DAVIS of Virginia, Mr. GREENWOOD, Mr. SAWYER, and Mr. LATHAM.

H.R. 4777: Mr. FERGUSON.

H.R. 4785: Mr. BOSWELL.

H.R. 4887: Mr. BECERRA.

H.R. 4900: Mr. GREEN of Texas and Mr. SIMMONS.

H.R. 4914: Mr. ROHRBACHER.

H.R. 4993: Mr. ABERCROMBIE, Mr. EVANS, Ms. MILLENDER-MCDONALD, Mr. SHERMAN, Mr. VISCLOSKEY, Mr. ACKERMAN, Mr. SERRANO, Mrs. CAPPS, Mr. LANGEVIN, Ms. VELAZQUEZ, Ms. WATERS, and Mr. HINOJOSA.

H.R. 5002: Mr. STEARNS and Mr. DAVIS of Florida.

H.R. 5013: Mr. BILIRAKIS.

H.R. 5033: Mr. KINGSTON and Mr. CAMP.

H.R. 5047: Mr. GREEN of Texas and Mr. LIPINSKI.

H.R. 5054: Mr. GILCHREST.

H.R. 5064: Mr. CAMP, Mr. TIAHRT, and Mr. BRYANT.

H.R. 5082: Mr. BOSWELL.

H.R. 5088: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCDERMOTT, Mr. BECERRA, and Mr. PASTOR.

H.R. 5104: Mr. FRANK.

H.R. 5011: Mr. JEFF MILLER of Florida.

H.R. 5122: Ms. BERKLEY.

H.R. 5123: Mr. DOOLITTLE, Mr. MCKEON, Mr. CUNNINGHAM, Mr. GARY G. MILLER of California, Mr. TANCREDO, and Mr. ISSA.

H.R. 5131: Mr. FRANK and Mr. TANCREDO.

H.R. 5135: Mr. NORWOOD and Mr. UDALL of Colorado.

H.R. 5139: Mr. SABO and Mrs. MINK of Hawaii.

H.R. 5144: Mr. JACKSON of Illinois.

H.R. 5146: Mr. ISRAEL.

H.R. 5147: Mr. BEREUTER, Mr. SHIMKUS, Mr. WELDON of Pennsylvania, and Mr. GILLMOR.

H.R. 5144: Mr. FILNER.

H.R. 5157: Mr. SHAYS.

H.R. 5158: Mr. BOEHLERT and Mr. QUINN.

H. Con. Res. 101: Mr. HALL of Ohio.

H. Con. Res. 327: Mr. GUTKNECHT, Mr. PITTS, Mr. WAXMAN, and Mr. STEARNS.

H. Con. Res. 349: Mr. SMITH of New Jersey and Ms. ROS-LEHTINEN.

H. Con. Res. 406: Mr. POMBO and Mr. PITTS.

H. Con. Res. 409: Mr. HOEKSTRA, Mr. EHLERS, Mr. SMITH of Michigan and Mr. ROGERS of Michigan.

H. Con. Res. 417: Mr. DOYLE and Mr. ANDREWS.

H. Con. Res. 421: Mr. MEEKS of New York.

H. Con. Res. 438: Mr. JEFFERSON.

H. Con. Res. 444: Mr. BEREUTER, Mr. COBLE, and Mr. FORBES.

H. Res. 106: Mr. LYNCH, Mr. HINCHEY, Mr. McNULTY, Ms. MILLENDER-McDONALD, Ms. HARMAN, Mr. FROST, Mr. KILDEE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WOOLSEY, Ms. MCKINNEY, Mr. DAVIS of Illinois, Mr. FRANK, and Mr. LARSEN of Washington.

H. Res. 253: Mr. KUCINICH.

H. Res. 295: Mr. BOSWELL and Ms. KILPATRICK.

H. Res. 410: Mr. COX.

H. Res. 429: Mr. ISRAEL, Mr. ENGLISH, Mr. FORBES, Mr. PETERSON of Minnesota, Mr. FRANK, Mrs. MYRICK, Mr. STUMP, Mr. WEXLER, Mr. CARSON of Oklahoma, Mr. GREEN of Texas, Ms. HART, Mr. DIAZ-BALART, Mr. HEFLEY, Mr. BAKER, Mr. FOSSELLA, Mr. BALDACCIO, Mr. ACEVEDO-VILA, Mr. VETTER, Mr. MORAN of Virginia, Mr. RAHALL, Mrs. MINK of Hawaii, Mr. WOLF, Mr. MCGOVERN, Mr. FROST, Mr. LEVIN, Mr. GOODE, Mr. WYNN, Mr. BARTLETT of Maryland, Mr. BRADY of Texas, Mr. KERNS, Mr. TURNER, Mr. TAYLOR of Mississippi, Ms. BALDWIN, Mr. GREEN of Wisconsin, Mr. BONIOR, Mr. SIMPSON, Mr. BERRY, Mr. SKEEN, Mr. CALVERT, Mr. BARR of Georgia, Mr. SESSIONS, Mr. SANDLIN, Mr. JONES of North Carolina, Mr. CRANE, Mr. ROHRBACHER, Mr. TIAHRT, Mr. GILMAN, Mr. GILCHREST, Ms. GRANGER, Mr. RODRIGUEZ, Mr. HOYER, Ms. HOOLEY of Oregon, Mr. TANNER, Mr. DINGELL, Mr. BROWN of Ohio, Ms. BROWN of Florida, Mr. DOYLE, Mr. FLETCHER, Mr. CUNNINGHAM, Mr. UNDERWOOD, Mr. BUYER, Mr. WILSON of South Carolina, Mr. HOLDEN, Mr. FALOMAVAEGA, Mr. DELAHUNT, Mr. COSTELLO, Ms. SLAUGHTER, Ms. MCKINNEY, Mr. STRICKLAND, Mr. COOKSEY, Mr. GIBBONS, Mr. SULLIVAN, Mr. SHERMAN, Mr. GOODLATTE, Mr. YOUNG of Florida, Mr. WATT of North Carolina, Mr. KINGSTON, Mr. RANGEL, Ms. SCHAKOWSKY, Mr. CUMMINGS, Mr. ISAKSON, Mr. LYNCH, Mr. GONZALEZ, Mr. PHELPS, Mrs. THURMAN, and Mr. LIPINSKI.

H. Res. 454: Mr. ROHRBACHER, Mr. McNULTY, and Mr. LIPINSKI.

AMENDMENTS

Under clause 8 of the rule XVIII, propose amendments were submitted as follows:

H.R. 5005

OFFERED BY: MR. ROEMER

AMENDMENT NO. 4: Amend title II to read as follows:

TITLE II—DIRECTORATES OF INTELLIGENCE AND OF CRITICAL INFRASTRUCTURE PROTECTION

SEC. 201. DIRECTORATE OF INTELLIGENCE.

(a) ESTABLISHMENT.—

(1) DIRECTORATE.—

(A) IN GENERAL.—There is established a Directorate of Intelligence which shall serve as a national-level focal point for the analysis of all information available to the United States Government for the purpose of preventing, deterring, protecting against, preparing for, and responding to threats of terrorism against the United States and other threats to homeland security.

(B) SUPPORT TO DIRECTORATE.—The Directorate of Intelligence shall be supported by—

(i) the Federal Bureau of Investigation;

(ii) the intelligence community as defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a) including the Office of the Director of Central Intelligence, the National Intelligence Council, the Central Intelligence Agency, the National Security

Agency, the Defense Intelligence Agency, the National Imagery and Mapping Agency, the National Reconnaissance Office, and the Bureau of Intelligence and Research of the Department of State; and

(iii) other agencies or entities, including those within the Department, as determined by the Secretary.

(2) UNDER SECRETARY.—There shall be an Under Secretary for Intelligence who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) RESPONSIBILITIES.—The Directorate of Intelligence shall be responsible for the following:

(1) Receiving and analyzing law enforcement information, intelligence, and other information in order to understand the nature and scope of threats to the homeland and to detect and identify threats of terrorism against the United States and other threats to homeland security.

(2) Ensuring timely and efficient access by the Directorate to—

(A) information from agencies described under subsection (a)(1)(B), State and local governments, local law enforcement and intelligence agencies, private sector entities; and

(B) open source information.

(3) Working with the Director of Central Intelligence and the agencies described under subsection (a)(1)(B), to establish overall collection priorities and strategies for information, including law enforcement-related information, relating to threats of terrorism against the United States and other threats to homeland security.

(4) Directing the agencies described under subsection (a)(1)(B), on behalf of the Secretary and subject to disapproval by the President, on a case-by-case basis, to provide additional information relating to threats of terrorism against the United States and other threats to homeland security.

(5) Disseminating information to the Directorate of Critical Infrastructure Protection, the agencies described under subsection (a)(1)(B), State and local governments, local law enforcement and intelligence agencies, and private sector entities to assist in the deterrence, prevention, preemption, and response to threats of terrorism against the United States and other threats to homeland security.

(6) Establishing and utilizing, in conjunction with the Chief Information Officer of the Department, and in conjunction with the appropriate officers at the agencies described under subsection (a)(1)(B), a secure communications and information technology infrastructure, including data mining and other advanced analytical tools, to permit the Directorate's analysts to access, receive, and analyze law enforcement, intelligence, and other information in the possession of agencies, to the extent that such information may lawfully be obtained from State and local governments, local law enforcement and intelligence agencies, and private sector entities.

(7) Developing, in conjunction with the Chief Information Officer of the Department, and in conjunction with appropriate officers at the agencies described under subsection (a)(1)(B) appropriate software, hardware, and other information technology, and security and formatting protocols, to ensure that the Federal Government databases and information technology systems containing information relevant to terrorist threats, and other threats against the United States, are—

(A) compatible with the secure communications and information technology infrastructure referred to under paragraph (6); and

(B) comply with Federal laws concerning privacy and the prevention of unauthorized disclosure.

(8) Ensuring, in conjunction with the Director of Central Intelligence and the Attorney General, that all material received by the Department related to threats of terrorism against the United States and other threats to homeland security is protected against unauthorized disclosure and is utilized by the Department only in the course and for the purposes of fulfillment of official duties, and is transmitted, retained, handled, and disseminated consistent with—

(A) the authority of the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure under the National Security Act of 1947 (50 U.S.C. 401 et seq.) and related procedures; or

(B) as appropriate, similar authorities of the Attorney General concerning sensitive law enforcement information, and the privacy interests of United States persons as defined under section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

(9) Referring, through the Secretary, to the appropriate law enforcement or intelligence agency, intelligence and analysis requiring further investigation or action.

(10) Providing training and other support as necessary to providers of information to the Department, or consumers of information from the Department, to allow such providers or consumers to identify and share intelligence information revealed in their ordinary duties or utilize information received from the Department.

(11) Reviewing, analyzing, and making recommendations through the Secretary for improvements in the policies and procedures governing the sharing of law enforcement, intelligence, and other information relating to threats of terrorism against the United States and other threats to homeland security within the Federal government and between the Federal government and State and local governments, local law enforcement and intelligence agencies, and private sector entities.

(12) Assisting and supporting the Secretary in conducting threat and vulnerability assessments and risk analyses in coordination with other appropriate entities, including the Office of Risk Analysis and Assessment in the Directorate of Science and Technology.

(13) Performing other related and appropriate duties as assigned by the Secretary.

(c) ACCESS TO INFORMATION.—

(1) IN GENERAL.—The Secretary shall have access to, and agencies described under subsection (a)(1)(B) shall provide, all law enforcement, intelligence, and other information in the possession of agencies described under subsection (a)(1)(B) relating to threats of terrorism against the United States and other threats to homeland security, including all reports, assessments, analytical information, and unevaluated data the Secretary determines necessary in order to fulfill the responsibilities of the Secretary, except when the President determines otherwise in writing. If there is uncertainty to an agency possessing certain information as to the relevance of that information, that agency shall provide that information to the Secretary who shall determine the relevance of the information, except when the President determines otherwise in writing.

(2) OBTAINING INFORMATION.—The Secretary may obtain information described under paragraph (1) by directing agencies described under subsection (a)(1)(B) to provide such information in such form and at such intervals as the Secretary determines necessary to fulfill the responsibilities of the Secretary under this division. Agencies shall provide

the Secretary with information through secure means, including direct access to specific databases, and through secure communications and information technology infrastructure, consistent with the protection of such information from unauthorized disclosure.

(3) **AGREEMENTS.**—To facilitate access to information under this subsection, the Secretary may enter into cooperative arrangements or memoranda of understanding with agencies described under subsection (a)(1)(B), State and local governments, local law enforcement and intelligence agencies, and private sector entities, as the Secretary determines necessary and appropriate. Failure to reach an agreement under this paragraph with the Secretary shall not constitute grounds for an agency to withhold from the Secretary information that the Secretary determines necessary for the fulfillment of the responsibilities of the Secretary.

(d) **AUTHORIZATION TO SHARE LAW ENFORCEMENT INFORMATION.**—The Secretary shall be deemed to be a Federal law enforcement, intelligence, protective, national defense, or national security official for purposes of information sharing provisions of—

(1) section 203(d) of the USA PATRIOT Act of 2001 (Public Law 107-56);

(2) section 2517(6) of title 18, United States Code; and

(3) rule 6(e)(3)(C) of the Federal Rules of Criminal Procedure.

(e) **ADDITIONAL RESPONSIBILITIES.**—The Under Secretary for Intelligence shall also be responsible for—

(1) developing intelligence about the means terrorists are likely to use to exploit vulnerabilities in the homeland security infrastructure;

(2) developing and conducting experiments, tests, and inspections to test weaknesses in homeland defenses;

(3) developing methods to conduct counter-surveillance of critical infrastructure and potential targets for terrorism against the United States;

(4) conducting risk assessments to determine the risk posed by specific kinds of terrorist attacks, the probability of successful attacks, and the feasibility of specific countermeasures; and

(5) working with the Directorate of Critical Infrastructure Protection, other offices and agencies in the Department, other agencies, State and local governments, local law enforcement and intelligence agencies, and private sector entities, to address vulnerabilities.

(f) **MANAGEMENT AND STAFFING.**—

(1) **IN GENERAL.**—The Directorate of Intelligence shall be staffed, in part, by analysts as requested by the Secretary and assigned by the agencies described under subsection (a)(1)(B). The analysts shall be assigned by reimbursable detail for periods as determined necessary by the Secretary in conjunction with the head of the assigning agency.

(2) **EMPLOYEES ASSIGNED WITHIN THE DEPARTMENT.**—The Secretary may assign employees of the Department by reimbursable detail to the Directorate.

(3) **SERVICE AS FACTOR FOR SELECTION.**—The President, or the designee of the President, shall prescribe regulations to provide that service described under paragraph (1) or (2), or service by employees within the Directorate shall be considered a positive factor for selection to positions of greater authority within all supporting agencies.

(4) **PERSONNEL SECURITY STANDARDS.**—The employment of personnel in the Directorate shall be in accordance with such personnel security standards for access to classified information and intelligence as the Secretary, in conjunction with the Director of Central

Intelligence, shall establish for this subsection.

(5) **PERFORMANCE EVALUATION.**—The Secretary shall evaluate the performance of all personnel detailed to the Directorate, or delegate such responsibility to the Under Secretary for Intelligence.

(g) **INTELLIGENCE COMMUNITY.**—Those portions of the Directorate of Intelligence that concern information analysis under subsection (b)(1), and the intelligence-related components of agencies transferred by this division to the Department, including the United States Coast Guard, shall be—

(1) considered to be part of the United States intelligence community within the meaning of section 3 of the National Security Act of 1947 (50 U.S.C. 401a); and

(2) for budgetary purposes, within the National Foreign Intelligence Program.

SEC. 202. DIRECTORATE OF CRITICAL INFRASTRUCTURE PROTECTION.

(a) **ESTABLISHMENT.**—

(1) **DIRECTORATE.**—There is established within the Department the Directorate of Critical Infrastructure Protection.

(2) **UNDER SECRETARY.**—There shall be an Under Secretary for Critical Infrastructure Protection, who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) **RESPONSIBILITIES.**—The Directorate of Critical Infrastructure Protection shall be responsible for the following:

(1) Receiving relevant intelligence from the Directorate of Intelligence, law enforcement information, and other information in order to comprehensively assess the vulnerabilities of the key resources and critical infrastructures in the United States.

(2) Integrating relevant information, intelligence analysis, and vulnerability assessments (whether such information, analyses, or assessments are provided by the Department or others) to identify priorities and support protective measures by the Department, by other agencies, by State and local government personnel, agencies, and authorities, by the private sector, and by other entities, to protect the key resources and critical infrastructures in the United States.

(3) As part of the Strategy, developing a comprehensive national plan for securing the key resources and critical infrastructure in the United States.

(4) Establishing specialized research and analysis units for the purpose of processing intelligence to identify vulnerabilities and protective measures in—

(A) public health;

(B) food and water storage, production and distribution;

(C) commerce systems, including banking and finance;

(D) energy systems, including electric power and oil and gas production and storage;

(E) transportation systems, including pipelines;

(F) information and communication systems;

(G) continuity of government services; and

(H) other systems or facilities the destruction or disruption of which could cause substantial harm to health, safety, property, or the environment.

(5) Enhancing the sharing of information regarding cyber security and physical security of the United States, developing appropriate security standards, tracking vulnerabilities, proposing improved risk management policies, and delineating the roles of various Government agencies in preventing, defending, and recovering from attacks.

(6) Acting as the Critical Information Technology, Assurance, and Security Officer of the Department and assuming the respon-

sibilities carried out by the Critical Infrastructure Assurance Office and the National Infrastructure Protection Center before the effective date of this division.

(7) Coordinating the activities of the Information Sharing and Analysis Centers to share information, between the public and private sectors, on threats, vulnerabilities, individual incidents, and privacy issues regarding United States homeland security.

(8) Coordinating with the Federal Communications Commission in helping to establish cyber security policy, standards, and enforcement mechanisms and working closely with the Federal Communications Commission on cyber security issues with respect to international bodies.

(9) Establishing the necessary organizational structure within the Directorate to provide leadership and focus on both cyber security and physical security, and ensuring the maintenance of a nucleus of cyber security and physical security experts within the United States Government.

(10) Performing such other duties as assigned by the Secretary.

(c) **TRANSFER OF AUTHORITIES, FUNCTIONS, PERSONNEL, AND ASSETS TO THE DEPARTMENT.**—The authorities, functions, personnel, and assets of the following entities are transferred to the Department:

(1) The Critical Infrastructure Assurance Office of the Department of Commerce.

(2) The National Infrastructure Protection Center of the Federal Bureau of Investigation (other than the Computer Investigations and Operations Section).

(3) The National Communications System of the Department of Defense.

(4) The Computer Security Division of the National Institute of Standards and Technology of the Department of Commerce.

(5) The National Infrastructure Simulation and Analysis Center of the Department of Energy.

(6) The Federal Computer Incident Response Center of the General Services Administration.

(7) The Energy Security and Assurance Program of the Department of Energy.

(8) The Federal Protective Service of the General Services Administration.

H.R. 5005

OFFERED BY: MR. ROEMER

AMENDMENT NO. 5: Amend section 203 to read as follows:

SEC. 203. ACCESS TO INFORMATION.

The Secretary shall have access to all reports, assessments, and analytical information relating to threats of terrorism in the United States and to other areas of responsibility described in section 101(b), and to all information concerning infrastructure or other vulnerabilities of the United States to terrorism, whether or not such information has been analyzed, that may be collected, possessed, or prepared by any executive agency. The Secretary shall also have access to other information relating to the foregoing matters that may be collected, possessed, or prepared by an executive agency. With respect to the material to which the Secretary has access under this section—

(1) all executive agencies promptly shall provide to the Secretary—

(A) all reports, assessments, and analytical information relating to threats of terrorism in the United States and to other areas of responsibility described in section 101(b);

(B) all information concerning infrastructure or other vulnerabilities of the United States to terrorism, whether or not such information has been analyzed;

(C) all information relating to significant and credible threats of terrorism in the United States, whether or not such information has been analyzed, if the President has

provided that the Secretary shall have access to such information; and

(D) such other material as the President may further provide;

(2) the Secretary shall have full access and input with respect to information from any national collaborative information analysis capability (as referred to in section 924 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1199)) established jointly by the Secretary of Defense and the Director of Central Intelligence; and

(3) the Secretary shall ensure that any material received pursuant to this section is protected from unauthorized disclosure and handled and used only for the performance of official duties, and that any intelligence information shared under this section shall be transmitted, retained, and disseminated consistent with the authority of the Director of Central Intelligence to protect intelligence sources and methods under the National Security Act and related procedures or, as appropriate, similar authorities of the Attorney General concerning sensitive law enforcement information.

H.R. 5005

OFFERED BY: MR. ROEMER

AMENDMENT NO. 6: Strike section 402(5) of the bill (and redesignate subsequent paragraphs accordingly).

In 502(1) of the bill, strike "Except" and all that through "the Integrated" and insert "The Integrated".

H.R. 5005

OFFERED BY: MR. ROEMER

AMENDMENT NO. 7: At the end of the bill, add the following new title:

TITLE _____—NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES.

SEC. ____01. ESTABLISHMENT OF COMMISSION.

There is established the National Commission on Terrorist Attacks Upon the United States (in this title referred to as the "Commission").

SEC. ____02. PURPOSES.

The purposes of the Commission are to—

(1) examine and report upon the facts and causes relating to the terrorist attacks against the United States that occurred on September 11, 2001;

(2) ascertain, evaluate, and report on the evidence developed by all relevant governmental agencies regarding the facts and circumstances surrounding the attacks;

(3) make a full and complete accounting of the circumstances surrounding the attacks, and the extent of the United States' preparedness for, and response to, the attacks; and

(4) investigate and report to the President and Congress on its findings, conclusions, and recommendations for corrective measures that can be taken to prevent acts of terrorism.

SEC. ____03. COMPOSITION OF THE COMMISSION.

(a) **MEMBERS.**—Subject to the requirements of subsection (b), the Commission shall be composed of 10 members, of whom—

(1) 3 members shall be appointed by the majority leader of the Senate;

(2) 3 members shall be appointed by the Speaker of the House of Representatives;

(3) 2 members shall be appointed by the minority leader of the Senate; and

(4) 2 members shall be appointed by the minority leader of the House of Representatives.

(b) **QUALIFICATIONS.**—

(1) **POLITICAL PARTY AFFILIATION.**—Not more than 5 members of the Commission shall be from the same political party.

(2) **NONGOVERNMENTAL APPOINTEES.**—No member of the Commission shall be an offi-

cer or employee of the Federal Government or any State or local government.

(3) **OTHER QUALIFICATIONS.**—It is the sense of Congress that individuals appointed to the Commission should be prominent United States citizens, with national recognition and significant depth of experience in such professions as governmental service, law enforcement, the armed services, legal practice, public administration, intelligence gathering, commerce, including aviation matters, and foreign affairs.

(c) **CHAIRPERSON; VICE CHAIRPERSON.**—

(1) **IN GENERAL.**—Subject to the requirement of paragraph (2), the Chairperson and Vice Chairperson of the Commission shall be elected by the members.

(2) **POLITICAL PARTY AFFILIATION.**—The Chairperson and Vice Chairperson shall not be from the same political party.

(d) **INITIAL MEETING.**—If 60 days after the date of enactment of this Act, 6 or more members of the Commission have been appointed, those members who have been appointed may meet and, if necessary, select a temporary Chairperson and Vice Chairperson, who may begin the operations of the Commission, including the hiring of staff.

(e) **QUORUM; VACANCIES.**—After its initial meeting, the Commission shall meet upon the call of the Chairperson or a majority of its members. Six members of the Commission shall constitute a quorum. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. ____04. FUNCTIONS OF THE COMMISSION.

(a) **IN GENERAL.**—The functions of the Commission are to—

(1) investigate the relevant facts and circumstances relating to the terrorist attacks of September 11, 2001, including any relevant legislation, Executive order, regulation, plan, policy, practice, or procedure;

(2) identify, review, and evaluate the lessons learned from the terrorist attacks of September 11, 2001, regarding the structure, coordination, management policies, and procedures of the Federal Government, and, if appropriate, State and local governments and nongovernmental entities, relative to detecting, preventing, and responding to such terrorist attacks; and

(3) submit to the President and Congress such reports as are required by this title containing such findings, conclusions, and recommendations as the Commission shall determine, including proposing organization, coordination, planning, management arrangements, procedures, rules, and regulations.

(b) **SCOPE OF INVESTIGATION.**—For purposes of subsection (a)(1), the term "facts and circumstances" includes facts and circumstances relating to—

(1) intelligence agencies;

(2) law enforcement agencies;

(3) diplomacy;

(4) immigration, nonimmigrant visas, and border control;

(5) the flow of assets to terrorist organizations;

(6) commercial aviation; and

(7) other areas of the public and private sectors determined relevant by the Commission for its inquiry.

SEC. ____05. POWERS OF THE COMMISSION.

(a) **HEARINGS AND EVIDENCE.**—The Commission may, for purposes of carrying out this title—

(1) hold hearings, sit and act at times and places, take testimony, receive evidence, and administer oaths; and

(2) require, by subpoena or otherwise, the attendance and testimony of witnesses and the production of books, records, correspondence, memoranda, papers, and documents.

(b) **SUBPOENAS.**—

(1) **SERVICE.**—Subpoenas issued under subsection (a)(2) may be served by any person designated by the Commission.

(2) **ENFORCEMENT.**—

(A) **IN GENERAL.**—In the case of contumacy or failure to obey a subpoena issued under subsection (a)(2), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(B) **ADDITIONAL ENFORCEMENT.**—Sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192 through 194) shall apply in the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this section.

(c) **CLOSED MEETINGS.**—Notwithstanding any other provision of law which would require meetings of the Commission to be open to the public, any portion of a meeting of the Commission may be closed to the public if the President determines that such portion is likely to disclose matters that could endanger national security.

(d) **CONTRACTING.**—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties under this title.

(e) **INFORMATION FROM FEDERAL AGENCIES.**—The Commission may secure directly from any department, agency, or instrumentality of the United States any information related to any inquiry of the Commission conducted under this title. Each such department, agency, or instrumentality shall, to the extent authorized by law, furnish such information directly to the Commission upon request.

(f) **ASSISTANCE FROM FEDERAL AGENCIES.**—

(1) **GENERAL SERVICES ADMINISTRATION.**—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission's functions.

(2) **OTHER DEPARTMENTS AND AGENCIES.**—In addition to the assistance prescribed in paragraph (1), departments and agencies of the United States are authorized to provide to the Commission such services, funds, facilities, staff, and other support services as they may determine advisable and as may be authorized by law.

(g) **GIFTS.**—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, accept, use, and dispose of gifts or donations of services or property.

(h) **POSTAL SERVICES.**—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

(i) **POWERS OF SUBCOMMITTEES, MEMBERS, AND AGENTS.**—Any subcommittee, member, or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

SEC. ____06. STAFF OF THE COMMISSION.

(a) **DIRECTOR.**—The Commission shall have a Director who shall be appointed by the Chairperson and the Vice Chairperson, acting jointly.

(b) **STAFF.**—The Chairperson, in consultation with the Vice Chairperson, may appoint additional personnel as may be necessary to enable the Commission to carry out its functions.

(c) **APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.**—The Director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code. Any individual appointed under subsection (a) or (b) shall be treated as an employee for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(d) **DETAILEES.**—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(e) **CONSULTANT SERVICES.**—The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

SEC. 7. COMPENSATION AND TRAVEL EXPENSES.

(a) **COMPENSATION.**—Each member of the Commission may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is en-

gaged in the actual performance of the duties of the Commission.

(b) **TRAVEL EXPENSES.**—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

SEC. 8. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.

The appropriate executive departments and agencies shall cooperate with the Commission in expeditiously providing to the Commission members and staff appropriate security clearances in a manner consistent with existing procedures and requirements, except that no person shall be provided with access to classified information under this section who would not otherwise qualify for such security clearance.

SEC. 9. REPORTS OF THE COMMISSION; TERMINATION.

(a) **INITIAL REPORT.**—Not later than 1 year after the date of the first meeting of the Commission, the Commission shall submit to the President and Congress an initial report containing—

(1) such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members; and

(2) such findings, conclusions, and recommendations regarding the scope of jurisdiction of, and the allocation of jurisdiction among, the committees of Congress with oversight responsibilities related to the scope of the investigation of the Commission

as have been agreed to by a majority of Commission members.

(b) **FINAL REPORT.**—Not later than 6 months after the submission of the initial report of the Commission, the Commission shall submit to the President and Congress a final report containing such updated findings, conclusions, and recommendations described in paragraphs (1) and (2) of subsection (a) as have been agreed to by a majority of Commission members.

(c) **NONINTERFERENCE WITH CONGRESSIONAL JOINT INQUIRY.**—Notwithstanding subsection (a), the Commission shall not submit any report of the Commission until a reasonable period after the conclusion of the Joint Inquiry of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives regarding the terrorist attacks against the United States which occurred on September 11, 2001.

(d) **TERMINATION.**—

(1) **IN GENERAL.**—The Commission, and all the authorities of this title, shall terminate 60 days after the date on which the final report is submitted under subsection (b).

(2) **ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.**—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the second report.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission to carry out this title \$3,000,000, to remain available until expended.

Daily Digest

HIGHLIGHTS

At 3:40 p.m. the House recognized the anniversary of the July 24, 1998 tragedy in which Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police were killed in the line of duty defending the Capitol against an intruder armed with a gun.

Pursuant to Article I, Section 5, Clause 2 of the United States Constitution, Representative James A. Traficant, Jr., was expelled from the House of Representatives.

The House passed H.R. 5120, Treasury and Postal Operations Appropriations

The House passed H.R. 4965, Partial-Birth Abortion Ban.

The House passed H.R. 4628, Intelligence Authorization Act.

House Committees ordered reported 129 sundry measures.

Senate agreed to the Conference Report on H.R. 4775, 2002 Supplemental Appropriations Act for Further Recovery From and Response to Terrorist Attacks on the United States, clearing the measure for the President.

Senate

Chamber Action

Routine Proceedings, pages S7243–S7322

Measures Introduced: Thirteen bills were introduced, as follows: S. 2777–2789. **Page S7308**

Measures Reported:

S. 2778, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2003. (S. Rept. No. 107–218)

S. 2779, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2003. (S. Rept. No. 107–219)

S. 2784, making appropriations for energy and water development for the fiscal year ending September 30, 2003. (S. Rept. No. 107–220)

Page S7308

Measures Passed:

Yankton Sioux Tribe and Santee Sioux Tribe Equitable Compensation Act: Senate passed S. 434, to provide equitable compensation to the Yankton Sioux Tribe of South Dakota and the Santee Sioux

Tribe of Nebraska for the loss of value of certain lands, after agreeing to committee amendments.

Pages S7319–21

Vicksburg National Military Park Boundary Modification Act: Senate passed S. 1175, to modify the boundary of Vicksburg National Military Park to include the property known as Pemberton's Headquarters, after agreeing to a committee amendment in the nature of a substitute.

Page S7321

Honoring Lindy Boggs: Senate agreed to H. Con. Res. 439, honoring Corinne "Lindy" Claiborne Boggs on the occasion of the 25th anniversary of the founding of the Congressional Women's Caucus.

Pages S7321–22

Greater Access to Affordable Pharmaceuticals Act: Senate continued consideration of S. 812, to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals, taking action on the following amendments proposed thereto:

Pages S7249–63, S7282–91, S7292–99

Pending:

Reid (for Dorgan) Amendment No. 4299, to permit commercial importation of prescription drugs from Canada.

Page S7249

Rockefeller Amendment No. 4316 (to Amendment No. 4299), to provide temporary State fiscal relief.

Pages S7284–91, S7292–99

Gramm point of order that the emergency designation in Section C of Rockefeller Amendment No. 4316 (to Amendment No. 4299), listed above, violates section 205 of H. Con. Res. 290, 2001 Congressional Budget Resolution.

Page S7299

Reid motion to waive section 205 of H. Con. Res. 290, 2001 Congressional Budget Resolution, with respect to the emergency designation in Section C of Rockefeller Amendment No. 4316 (to Amendment No. 4299), listed above.

Page S7299

During consideration of this measure today, Senate also took the following action:

By 51 yeas to 48 nays (Vote No. 189), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate failed to agree to the motion to waive the Congressional Budget Act of 1974 with respect to Hagel Amendment No. 4315 (to Amendment No. 4299, as amended), to provide Medicare beneficiaries with a drug discount card that ensures access to affordable outpatient prescription drugs. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974 for spending in excess of allocation, was sustained, and the amendment thus fell.

Pages S7249–63, S7282–83

A motion was entered to close further debate on Rockefeller Amendment No. 4316 (to Amendment No. 4299), listed above and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Friday, July 26, 2002.

Page S7299

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Thursday, July 25, 2002, with 1 hour of debate in relation to the motion to waive section 205 of H. Con. Res. 290, 2001 Congressional Budget Resolution, with respect to the emergency designation in Section C of Rockefeller Amendment No. 4316 (to Amendment No. 4299), listed above; to be followed by a vote on the motion to waive.

Page S7303

Supplemental Appropriations Conference Report: By 92 yeas to 7 nays (Vote No. 188), Senate agreed to the conference report on H.R. 4775, making supplemental appropriations for further recovery from and response to terrorist attacks on the United States for the fiscal year ending September 30, 2002, clearing the measure for the President.

Pages S7263–82

Conferring Honorary Citizenship: Senate concurred in the amendment of the House, amendment to the preamble, and the amendment to the title to S.J. Res. 13, conferring honorary citizenship of the United States posthumously on Marie Joseph Paul Yves Roche Gilbert du Motier, the Marquis de La Fayette.

Pages S7302–03

Defense and Legislative Branch Appropriations—Agreement: A unanimous-consent agreement was reached providing that the Majority Leader, following consultation with the Republican Leader, may proceed to the consideration of H.R. 5121, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2003; that debate on the bill and committee amendment be limited to 30 minutes; that immediately after the bill is reported, the text of the Senate committee reported bill, S. 2720, be inserted in the appropriate place in the House bill; that certain first degree amendments be proposed thereto, under a time limitation, with certain exceptions; that upon disposition of these amendments; the bill be read a third time, and the Senate vote on passage of the bill, as amended; that upon passage, Senate insist on its amendment, request a conference with the House thereon, and the Chair be authorized to appoint conferees on the part of the Senate, without further intervening action or debate; provided further that the Senate proceed to consideration of H.R. 5010, making appropriations for the Department of Defense for the fiscal year ending September 30, 2003, no later than Wednesday, July 31, 2002.

Page S7302

Appointment:

Congressional Hunger Fellows Program: The Chair, on behalf of the Majority Leader, pursuant to Public Law 107–171, announced the appointment of the following individuals to serve as members of the Board of Trustees of the Congressional Hunger Fellows Program: Senator Harkin and Representative Clayton.

Page S7319

Executive Session: Senate agreed to the motion to proceed to executive session to consider the nomination of Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit.

Page S7322

Nomination—Cloture Motion Filed: A motion was entered to close debate on the nomination of Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote on the nomination will occur on Friday, July 26, 2002.

Page S7322

Nominations Received: Senate received the following nominations:

Joaquin F. Blaya, of Florida, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2002.

Joaquin F. Blaya, of Florida, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2005. (Reappointment)

Peggy Goldwater-Clay, of California, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring June 5, 2006. (Reappointment)

Juanita Alicia Vasquez-Gardner, of Texas, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2003.

Robert Maynard Grubbs, of Michigan, to be United States Marshal for the Eastern District of Michigan for the term of four years.

Johnny Mack Brown, of South Carolina, to be United States Marshal for the District of South Carolina for the term of four years.

Denny Wade King, of Tennessee, to be United States Marshal for the Middle District of Tennessee for the term of four years.

Page S7322

Messages From the House: **Page S7308**

Measures Placed on Calendar: **Page S7308**

Additional Cosponsors: **Pages S7308–10**

Statements on Introduced Bills/Resolutions:
Pages S7310–16

Additional Statements: **Pages S7307–08**

Amendments Submitted: **Pages S7316–18**

Authority for Committees to Meet: **Pages S7318–19**

Privilege of the Floor: **Page S7319**

Record Votes: Two record votes were taken today. (Total—189) **Pages S7282, S7283**

Adjournment: Senate met at 10 a.m., and adjourned at 7:33 p.m., until 9:30 a.m., on Thursday, July 25, 2002.

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING—ENERGY AND WATER APPROPRIATIONS

Committee on Appropriations: Committee ordered favorably reported an original bill (S. 2784) making appropriations for energy and water development for the fiscal year ending September 30, 2003.

BUSINESS MEETING—TRANSPORTATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation approved for full committee consideration an original bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2003.

HUD MANAGEMENT

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing and Transportation held oversight hearings to examine management challenges of the Department of Housing and Urban Development (HUD), focusing on staffing, acquisition management, information systems, assessing HUD's management environment, and formulating viable strategies and plans to address the major management challenges, receiving testimony from Alphonso Jackson, Chief Operating Officer/Deputy Secretary of Housing and Urban Development; Stanley J. Czerwinski, Director, Physical Infrastructure, General Accounting Office; and Carolyn Federoff, American Federation of Government Employees Council of HUD Locals, Boston, Massachusetts.

Hearings recessed subject to call.

WOMEN IN SCIENCE AND TECHNOLOGY

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space concluded hearings to examine barriers to the involvement and advancement of women in math, science and technology, including under representation of women at the college level and above, and what can be done to lower these barriers and encourage more girls and women in the area science, after receiving testimony from Senator Boxer; Kristina M. Johnson, Duke University Pratt School of Engineering, Durham, North Carolina; Kay Koplovitz, Koplovitz and Company, New York, New York; Nancy Stueber, Oregon Museum of Science and Industry, Portland; and Ana Maria Boitel, Women in Technology, Alexandria, Virginia.

FEDERAL ENERGY REGULATORY COMMISSION

Committee on Energy and Natural Resources: Committee concluded hearings to examine issues surrounding the Federal Energy Regulatory Commission, focusing on electric and natural gas infrastructure generation and transmission and the demand the power in the future, after receiving testimony from Pat Wood III, Chairman, Federal Energy Regulatory Commission, Department of Energy; Stephen Ward, Maine Public Advocate, Augusta, on behalf of the National Association of State Utility Consumer Advocates; M. Carol Coale, Prudential Financial, Houston, Texas; Lawrence J. Makovich, Cambridge Energy Research

Associates, Cambridge, Massachusetts; Pete Landrieu, Public Service Enterprise Group, Newark, New Jersey; and David R. Nevius, North American Electric Reliability Council, Princeton, New Jersey.

ENVIRONMENTAL TREATIES IMPLEMENTATION

Committee on Environment and Public Works: Committee concluded joint hearings with the Committee on Foreign Relations to examine implementation of certain environmental treaties to which the United States is a party, and the United States' international environmental agreements and commitments, after receiving testimony from John F. Turner, Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs; James L. Connaughton, Chairman, White House Council on Environmental Quality; Maurice F. Strong, Earth Council Institute Canada, Toronto, Ontario; John C. Dernbach, Widener University Law School, Harrisburg, Pennsylvania; and Christopher C. Horner, Competitive Enterprise Institute, Washington, D.C.

NOMINATIONS

Committee on Foreign Relations: Committee concluded hearings on the nominations of Kristie Anne Kenney, of Maryland, to be Ambassador to the Republic of Ecuador, Larry Leon Palmer, of Georgia, to be Ambassador to the Republic of Honduras, and Barbara Calandra Moore, of Maryland, to be Ambassador to the Republic of Nicaragua, all of the Department of State, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Governmental Affairs: Committee ordered favorably reported the nominations of James E. Boasberg, to be an Associate Judge of the Superior Court of the District of Columbia, Michael D. Brown, of Colorado, to be Deputy Director of the Federal Emergency Management Agency, and Mark W. Everson, of Texas, to be Deputy Director for Management, Office of Management and Budget.

Also, Committee met and reconsidered their action of May 22, 2002, when the committee ordered favorably reported, with amendments, S. 2452, to establish the Department of National Homeland Security and the National Office for Combating Terrorism (pending on Senate calendar), but did not take any final action thereon, and will meet again tomorrow.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee met and discussed certain committee matters, but did not take any action thereon, and recessed subject to the call.

NATIVE AMERICAN COMMERCIAL DRIVING

Committee on Indian Affairs: Committee concluded hearings on S. 1344, to provide training and technical assistance to Native Americans who are interested in commercial vehicle driving careers, after receiving testimony from James E. Shanley, Fort Peck Community College, Poplar, Montana, on behalf of the American Indian Higher Education Consortium; David Fluke, Fed Ex Freight West, Citris Heights, California, on behalf of the American Trucking Associations, Inc.; and Andra Rush, Rush Trucking, Wayne, Michigan.

CORPORATE RESPONSIBILITY

Committee on the Judiciary: Subcommittee on Crime and Drugs resumed hearings to examine whether the use of criminal sanctions will help deter corporate wrong doing and ensure responsibility, receiving testimony from G. William Miller, G. William Miller and Company, former Secretary of the Treasury and former Chairman, Federal Reserve Board, Roderick M. Hills, Hills Enterprises, former Chairman, Securities and Exchange Commission, and James R. Doty, Baker Botts, former General Counsel, Securities and Exchange Commission, all of Washington, D.C.

Hearings recessed subject to call.

BUSINESS MEETING

Committee on Small Business and Entrepreneurship: Committee ordered favorably reported the following bills:

S. 2335, to establish the Office of Native American Affairs within the Small Business Administration, and to create the Native American Small Business Development Program, with an amendment;

S. 2483, to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns;

S. 2466, to modify the contract consolidation requirements in the Small Business Act;

S. 2734, to provide emergency assistance to non-farm small business concerns that have suffered substantial economic harm from the devastating effects of drought, with an amendment in the nature of a substitute;

S. 1994, to establish a priority preference among certain small business concerns for purposes of Federal contracts, with an amendment;

S. 2753, to provide for a Small and Disadvantaged Business Ombudsman for Procurement in the Small Business Administration, with an amendment in the nature of a substitute; and

H.R. 2666, to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a vocational and technical entrepreneurship development program.

VA MENTAL HEALTH CARE

Committee on Veterans' Affairs: Committee concluded hearings to examine Veterans Administration mental health care issues, including clinical care services, special emphasis programs, Mental Health Intensive Case Management program, homeless veterans, post-traumatic stress disorder, and substance abuse, after receiving testimony from Robert H. Roswell, Under Secretary of Veterans Affairs for Health; Miklos Losonczy, Robert Wood Johnson School of Medicine

Department of Psychiatry/New Jersey Health Care System, Piscataway, on behalf of the Committee on Care of Veterans with Serious Mental Illness; Ralph Ibson, National Mental Health Association, Alexandria, Virginia; Renato D. Alarcon, Emory University School of Medicine Department of Psychiatry, Atlanta, Georgia, on behalf of the American Psychiatric Association; Colleen Evans, VA Pittsburgh Health Care System, Pittsburgh, Pennsylvania, on behalf of the American Federation of Government Employees, AFL-CIO; and Frederick Frese, Northeastern Ohio Universities College of Medicine, Akron, and Moe Armstrong, Vinfen Corporation, Cambridge, Massachusetts, both on behalf of the National Alliance for the Mentally Ill.

House of Representatives

Chamber Action

Measures Introduced: Measures introduced will appear in the next issue of the Record.

Reports Filed: Reports were filed today as follows:

Conference report on H.R. 3763, to protect investors by improving the accuracy and reliability of corporate disclosures made pursuant to the securities laws (H. Rept. 107-610); **Pages H5393-H5411**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative LaHood to act as Speaker pro tempore for today.

Page H5317

Guest Chaplain: The prayer was offered by the guest Chaplain, Rev. Samer Youssef, Pastor, Antiochian Orthodox Church of the Redeemer, Los Altos Hills, California.

Page H5317

Moment of Silence In The Memory of Officer Jacob J. Chestnut and Detective John M. Gibson: At 3:40 p.m. the Chair recognized the anniversary of July 24, 1998 tragedy in which Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police were killed in the line of duty defending the Capitol against an intruder armed with a gun.

Page H5352

Treasury and Postal Operations Appropriations: The House passed H.R. 5120, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003 by a yeas-and-nays vote of 308 yeas to 121 nays, Roll No. 341.

Pages H5322-46, H5352

Agreed To:

Moran of Virginia amendment No. 21 printed in the Congressional Record of July 21 that prohibits any funding to be used to establish or enforce any numerical goal or quota for subjecting the employees of an agency to public-private competitions or converting the employees or the work they perform to private contractor performance under OMB circular A-76 or any other administrative regulation, directive, or policy (agreed to by a recorded vote of 261 yeas to 166 noes, Roll No. 336);

Pages H5322-28, H5341-42

Sanders amendment No. 7 printed in the Congressional Record of July 15 that prohibits any funding to be used by the Internal Revenue Service for activities that contravene current tax, Employee Retirement Income Security Act (ERISA) pension or age discrimination statutes (agreed to by a recorded vote of 308 yeas to 121 noes, Roll No. 339); and

Pages H5333-36, H5343-44

Barr amendment No. 23 printed in the Congressional Record of July 23 that prohibits the use of national anti-drug media campaign funding to pay any amounts pursuant to a specific contract.

Pages H5336-41

Rejected:

Hefley amendment that sought to reduce funding for the Allowances and Office Staff for former Presidents by \$339,000 (rejected by a recorded vote of 165 yeas to 265 noes, Roll No. 337);

Pages H5328-30, H5342-43

Hefley amendment No. 16 printed in the Congressional Record of July 17 that sought to reduce

each amount appropriated or otherwise made available by 1 percent (rejected by a recorded vote of 147 ayes to 282 noes, Roll No. 338);

Pages H5330–32, H5343

Withdrawn:

Kucinich amendment No. 18 printed in the Congressional Record of July 17 was offered but subsequently withdrawn that sought to prohibit any funding to be used to enforce or implement discounts for the statistical value of a human life estimated during regulatory reviews through implementation of OMB Circular A–94 Guidelines and Discount Rates for Benefit Cost Analysis of Federal programs or any guidance having the same substance; Page H5330

Jackson-Lee amendment No. 12 printed in the Congressional Record of July 16 was offered but subsequently withdrawn that sought to prohibit any funding to be used to prevent the rehabilitation of urban and rural post offices; Page H5332

Flake amendment No. 2 printed in the Congressional Record of July 15 was offered but subsequently withdrawn that sought to prohibit any funding to be used by entities unless specifically identified by name as a recipient in the Act;

Pages H5332–33

Wynn amendment No. 8 printed in the Congressional Record of July 15 was offered but subsequently withdrawn that sought to establish a centralized reporting system to enable agencies to generate reports on efforts regarding both contracting out and contracting in; and

Pages H5344–45

Hoyer amendment was offered but subsequently withdrawn that sought to prohibit any funding to be used by the Customs Service to require reports on repairs to U.S. flag vessels on the high seas.

Pages H5345–46

The House agreed to H. Res. 488, the rule that is providing for consideration of the bill on July 18.

Partial-Birth Abortion Ban: The House passed H.R. 4965, to prohibit the procedure commonly known as partial-birth abortion by a recorded vote of 274 ayes to 151 noes with 1 voting “present”, Roll No. 343.

Pages H5352–74

Rejected the Baldwin motion that sought to recommit the bill to the Committee on the Judiciary with instructions to report it back to the House forthwith with an amendment that inserts language that states that the prohibition does not apply to a partial-birth abortion where it is necessary, in appropriate medical judgment, for the preservation of the life or health of the mother by a recorded vote of 187 ayes to 241 noes, Roll No. 342. Pages H5371–73

Agreed to H. Res. 498, the rule that provided for consideration of the bill by a yea-and-nay vote of 248 yeas to 177 nays, Roll No. 340. Pages H5346–52

In the Matter of James A. Traficant, Jr., The House agreed to H. Res. 495, in the matter of James A. Traficant, Jr. by a 2/3 recorded vote of 420 ayes to 1 no, with 9 voting “present”, Roll No. 346. The text of the resolution is as follows: Resolved, that, pursuant to Article I, Section 5, Clause 2 of the United States Constitution, Representative James A. Traficant, Jr., be, and he hereby is, expelled from the House of Representatives. Earlier, rejected the LaTourette motion to postpone consideration of the resolution until Sept. 4, 2002 by a recorded vote of 146 ayes to 285 noes, Roll No. 345. Pages H5375–93

Intelligence Authorization: The House completed debate and began considering amendments to H.R. 4628, to authorize appropriations for fiscal year 2003 for intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System. (See next issue.)

Pursuant to the rule, the Permanent Select Committee on Intelligence amendment in the nature of a substitute now printed in the bill (H. Rept. 107–592) was considered as an original bill for the purpose of amendment. (See next issue.)

Agreed To:

Smith of New Jersey amendment to the Roemer amendment No. 9 printed in the Congressional Record of July 23 that includes representation of family members of victims of terrorist attacks on the National Commission on Terrorist Attacks;

(See next issue.)

Roemer amendment No. 9 printed in the Congressional Record of July 23, as amended, that creates a National Commission on Terrorist Attacks Upon the United States (agreed to by a recorded vote of 219 ayes to 188 noes, Roll No. 347).

(See next issue.)

Chambliss amendment No. 3 printed in the Congressional Record of July 23, that establishes the Homeland Security Information Sharing Act;

(See next issue.)

Pelosi amendment No. 8 printed in the Congressional Record of July 23, that clarifies the use of funds for counter-drug and counterterrorism activities for Colombia;

(See next issue.)

Goss amendment No. 5 printed in the Congressional Record of July 23, as modified, that limits the use of the Defense Emergency Response Fund;

(See next issue.)

Roemer amendment No. 9 printed in the Congressional Record of July 22 that requires a report on the establishment of a Civilian Linguist Reserve Corps comprised of individuals with advanced skills in foreign languages; and (See next issue.)

Hastings of Florida enbloc amendment consisting of amendments No. 6 and 7 printed in the Congressional Record of July 23 that expresses the sense of Congress on diversity in the workforce of intelligence community agencies and requires an annual report on the hiring and retention of minority employees in the intelligence community.

(See next issue.)

Withdrawn:

Engel amendment No. 4 printed in the Congressional Record of July 23, was offered but subsequently withdrawn that sought to specify limitations on the assistance provided to the Palestinian Security Services.

(See next issue.)

The Clerk was authorized to make technical corrections and conforming changes in the engrossment of the bill.

(See next issue.)

Agreed to H. Res. 497, the rule that provided for the consideration of the bill by voice vote.

(See next issue.)

Order of Business—Intelligence Authorization: Agreed that during consideration of H.R. 4628 in the Committee of the Whole pursuant to H. Res. 497, no further amendment to the committee amendment in the nature of a substitute may be offered after the legislative day of July 24, 2002 except pro forma amendments offered by the Chairman or ranking minority member of the Permanent Select Committee on Intelligence or their designees for the purpose of debate.

(See next issue.)

Order of Business—Corporate and Auditing Accountability, Responsibility, and Transparency Act Conference Report: Agreed that it be in order at any time on Thursday, July 25, 2002 to consider a conference report to accompany H.R. 3763, Corporate and Auditing Accountability, Responsibility, and Transparency Act; that the conference report be considered as read; and that all points of order against the conference report and against its consideration be waived.

(See next issue.)

Suspensions: The House agreed to suspend the rules and pass the following measures:

National Defense Authorization Act for Fiscal Year 2003: Debated on July 23, H.R. 4547, amended, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense and to prescribe military personnel strengths for fiscal year 2003 (agreed to by a yea-and-nay vote of 413 yeas to 3 nays, Roll No. 335); and

Page H5318

Condemning the Persecution of Falun Gong Practitioners by the Chinese Government: Debated on July 22, H. Con. Res. 188, amended, expressing the sense of Congress that the Government of the People's Republic of China should cease its persecu-

tion of Falun Gong practitioners (agreed to by a yea-and-nay vote of 420 yeas with none voting "nay", Roll No. 344).

Pages H5374–75

Recess: The House recessed at 2:45 a.m. on Thursday, July 25 and will reconvene at approximately 9 a.m. on Thursday, July 25.

Amendments: Amendments ordered printed pursuant to the rule will appear in the next issue of the Record.

Quorum Calls—Votes: Four yea-and-nay votes and nine recorded votes developed during the proceedings of the House today and appear on pages H5318, H5341–42, H5342–43, H5343, H5343–44, H5351–52, H5352, H5373, H5373–74, H5374, H5383, H5393 (continued next issue). There were no quorum calls.

Adjournment: The House met at 10 a.m. and at 2:45 a.m. on Thursday, July 25 stands in recess.

Committee Meetings

CHILD LEFT BEHIND ACT IMPLEMENTATION

Committee on Education and the Workforce: Held a hearing on "Implementation of the No Child Left Behind Act." Testimony was heard from Gene Hickok, Under Secretary, Department of Education; William Windler, Assistant Commissioner, Department of Education, State of Colorado; and public witnesses.

TEMPORARY WAIVER—CERTAIN REQUIREMENTS UNDER CLEAN AIR ACT—AREAS IN NEW YORK WHERE ACTS OF TERRORISM DESTROYED PLANNING OFFICES AND RESOURCES

Committee on Energy and Air Quality: Subcommittee on Energy and Air Quality approved for full Committee action H.R. 3880, to provide a temporary waiver from certain transportation conformity requirements and metropolitan transportation planning requirements under the Clean Air Act and under other laws for certain areas in New York where the planning offices and resources have been destroyed by acts of terrorism.

COMMUNITY CHOICE IN REAL ESTATE ACT

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing on H.R. 3424, Community Choice in Real Estate Act. Testimony was heard from Representatives Calvert and Kanjorski; and public witnesses.

OVERSIGHT—CYBER-TERRORISM

Committee on Government Reform: Subcommittee on Government Efficiency, Financial Management and

Intergovernmental Relations held an oversight hearing on "Cyber-terrorism: Is the Nation's Critical Infrastructure Adequately Protected?" Testimony was heard from Robert F. Dacey, Director, Information Security, GAO; Ronald L. Dick, Director, National Infrastructure Protection Center, FBI, Department of Justice; John S. Tritak, Director, Critical Infrastructure Assurance Office, Department of Commerce; and public witnesses.

OVERSIGHT—COMMERCIAL ACTIVITIES PANEL—REVIEW FINDINGS

Committee on Government Reform: Subcommittee on Technology and Procurement Policy held a hearing entitled "An Oversight Hearing to Review the Findings of the Commercial Activities Panel." Testimony was heard from David M. Walker, Comptroller, GAO; Angela Styles, Director, Office of Federal Procurement Policy, OMB; Joseph Sikes, Director, Competitive Sourcing and Privatization, Department of Defense; and public witnesses.

"MARSHALL PLAN" FOR THE MIDDLE EAST

Committee on International Relations: Held a hearing on Economic Development and Integration as a Catalyst for Peace: A "Marshall Plan" for the Middle East. Testimony was heard from former Senator George J. Mitchell, State of Maine; Rima Khalaf Hunaidi, Assistant Secretary-General, United Nations, Assistant Administrator and Regional Director, Regional Bureau for Arab States, United Nations Development Programme; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Subcommittee on Europe approved for full Committee action, as amended, the following measures: H. Con. Res. 164, expressing the sense of Congress that security, reconciliation, and prosperity for all Cypriots can be best achieved within the context of membership in the European Union which will provide significant rights and obligations for all Cypriots; H. Con. Res. 437, recognizing the Republic of Turkey for its cooperation in the campaign against global terrorism, for its commitment of forces and assistance to Operation Enduring Freedom and subsequent missions in Afghanistan, and for initiating important economic reforms to build a stable and prosperous economy in Turkey; and H. Con. Res. 327, commending the republic of Turkey and the State of Israel for the continued strengthening of their political, economic, cultural, and strategic partnership and for their actions in support of the war on terrorism.

WESTERN HEMISPHERE—COFFEE CRISIS

Committee on International Relations: Subcommittee on Western Hemisphere held a hearing on the Coffee

Crisis in the Western Hemisphere. Testimony was heard from Adolfo Franco, Assistant Administrator, Bureau for Latin America and the Caribbean, AID, Department of State; Franklin Lee, Deputy Administrator, Commodity and Marketing Programs, USDA; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following bills: H.R. 2099, amended, to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide adequate funding authorization for the Vancouver National Historic Reserve; H.R. 2301, amended, to authorize the Secretary of the Interior to construct a bridge on Federal land west of and adjacent to Folsom Dam in California; H.R. 2534, amended, Lower Los Angeles River and San Gabriel River Watersheds Study Act of 2001; H.R. 2748, amended, National War Permanent Tribute Historical Database Act; H.R. 3407, amended, Indian Finance Act Reform Amendment; H.R. 3434, amended, McLoughlin House National Historic Site Act; H.R. 3449, to revise the boundaries of the George Washington Birthplace National Monument; H.R. 4622, amended, Gateway Communities Cooperation Act of 2002; H.R. 4682, Allegheny Portage Railroad National Historic Site Boundary Revision Act; H.R. 4708, amended, Fremont-Madison Conveyance Act; H.R. 4917, amended, Los Padres National Forest Land Exchange Act; H.R. 4938, to direct the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study to determine the most feasible method of developing a safe and adequate municipal, rural, and industrial water supply for the Santee Sioux Tribe of Nebraska; H.R. 4953, amended, to direct the Secretary of the Interior to grant Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road; H.R. 5039, amended, Humboldt Project Conveyance Act; and S. 1105, Grand Teton National Park Land Exchange Act.

SATELLITE DATA MANAGEMENT AT NOAA

Committee on Science: Subcommittee on Environment, Technology and Standards held a hearing on Satellite Data Management at NOAA. Testimony was heard from Conrad C. Lautenbacher, Jr., Under Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; Linda D. Koontz, Director, Information Issues, GAO; and a public witness.

MISCELLANEOUS MEASURES; PROSPECTUSES

Committee on Transportation and Infrastructure: Ordered reported the following measures: H. Con. Res. 442, recognizing the American Road and Transportation

Builders Associations for reaching its 100th Anniversary and for the many vital contributions of its members in the transportation construction industry to the American economy and quality of life through the multi-modal transportation infrastructure network its members have designed, built, and managed over the past century; H.R. 4727, amended, Dam Safety and Security Act of 2002; H.R. 5157, to amend section 5307 of title 49, United States Code, to allow transit systems in urbanized areas that, for the first time, exceeded 200,000 in population according to the 2000 census to retain flexibility in the use of Federal transit formula grants in fiscal year 2003; and H.R. 5169, Wastewater Treatment Works Security Act.

The Committee also approved several Army Corps of Engineers Survey resolutions and GSA Capitol Investment and Leasing Program resolutions.

VETERANS' LEGISLATION

Committee on Veterans' Affairs: Subcommittee on Benefits held a hearing on the following bills: H.R. 5111, Servicemember's Civil Relief Act; and H.R. 4017, Soldiers' and Sailors' Civil Relief Equity Act. Testimony was heard from public witnesses.

Hearings continue tomorrow.

GLOBAL HOT SPOTS

Permanent Select Committee on Intelligence: Met in executive session to discuss Global Hot Spots. Testimony was heard from departmental witnesses.

FUTURE IMAGERY ARCHITECTURE

Permanent Select Committee on Intelligence: Subcommittee on Technical and Tactical Intelligence met in executive session to hold a hearing on Future Imagery Architecture. Testimony was heard from departmental witnesses.

Joint Meetings

ECONOMIC STATISTICS

Joint Economic Committee: Committee concluded hearings to examine the measuring of economic change, focusing on international trade data, gross domestic product estimates, and electronic commerce, after receiving testimony from Donald L. Evans, Secretary of Commerce; and William D. Nordhaus, Yale University, New Haven, Connecticut, on behalf of the Bureau of Economic Analysis Advisory Committee.

CORPORATE AND AUDITING ACCOUNTABILITY, RESPONSIBILITY, AND TRANSPARENCY ACT

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 3763, to protect investors by im-

proving the accuracy and reliability of corporate disclosures made pursuant to the securities laws.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST of July 8, 2002, p. D712)

H.J. Res. 87, approving the site at Yucca Mountain, Nevada, for the development of a repository for the disposal of high-level radioactive waste and spent nuclear fuel, pursuant to the Nuclear Waste Policy Act of 1982. Signed on July 23, 2002. (Public Law 107-200)

S. 2594, to authorize the Secretary of the Treasury to purchase silver on the open market when the silver stockpile is depleted, to be used to mint coins. Signed on July 23, 2002. (Public Law 107-201)

COMMITTEE MEETINGS FOR THURSDAY, JULY 25, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: business meeting to mark up proposed legislation making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2003; proposed legislation making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2003; proposed legislation making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2003; and proposed legislation making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2003, 2 p.m., S-128, Capitol.

Committee on Armed Services: to hold hearings to examine the national security implications of the Strategic Offensive Reductions Treaty, 9:30 a.m., SD-106.

Committee on Banking, Housing, and Urban Affairs: business meeting to consider the nominations of Paul S. Atkins, of Virginia, Harvey Jerome Goldschmid, of New York, Cynthia A. Glassman, of Virginia, and Roel C. Campos, of Texas, each to be a Member of the Securities and Exchange Commission, Time to be announced, Room to be announced.

Committee on Commerce, Science, and Transportation: to hold hearings to examine aviation security transition, focusing on the deployment of baggage screening equipment, cockpit security, and air cargo security, 9:30 a.m., SR-253.

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests, to hold hearings to examine

S. 2672, to provide opportunities for collaborative restoration projects on National Forest System and other public domain lands, 2:30 p.m., SD-366.

Committee on Environment and Public Works: business meeting to consider S. 1602, to help protect the public against the threat of chemical attack; S. 1746, to amend the Atomic Energy Act of 1954 and the Energy Reorganization Act of 1974 to strengthen security at sensitive nuclear facilities; S. 1850, to amend the Solid Waste Disposal Act to bring underground storage tanks into compliance with subtitle I of that Act, to promote cleanup of leaking underground storage tanks, to provide sufficient resources for such compliance and cleanup; proposed legislation authorizing funds for the John F. Kennedy Center Plaza; and the nominations of John S. Bresland, of New Jersey, to be a Member, and Carolyn W. Merritt, of Illinois, to be Chairperson and Member, each of the Chemical Safety and Hazard Investigation Board; and John Peter Suarez, of New Jersey, to be Assistant Administrator for Enforcement and Compliance of the Environmental Protection Agency, 11 a.m., SD-406.

Committee on Foreign Relations: business meeting to consider the Convention on the Elimination of All Forms of Discrimination Against Women, adopted by the United Nations General Assembly on December 18, 1979, and signed on behalf of the United States of America on July 17, 1980 (Treaty Doc. 96-53); Agreement Establishing the South Pacific Regional Environment Programme, done at Apia on June 16, 1993 (Treaty Doc. 105-32); Treaty Between the Government of the United States of America and the Government of Niue on the Delimitation of a Maritime Boundary, signed in Wellington, May 13, 1997 (Treaty Doc. 105-53); S. Res. 296, recognizing the accomplishment of Ignacy Jan Paderewski as a musician, composer, statesman, and philanthropist and recognizing the 10th Anniversary of the return of his remains to Poland; S. Res. 300, encouraging the peace process in Sri Lanka; and pending nominations, 10:30 a.m., SD-419.

Committee on Governmental Affairs: business meeting to continue to reconsider the Committee's action of May 22, 2002, with respect to ordering favorably reported, with amendments S. 2452, to establish the Department of National Homeland Security and the National Office for Combating Terrorism, 9:30 a.m., SD-342.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine violence against women in the workplace, focusing on the extent of the problem and government and business responses, 10 a.m., SD-430.

Committee on Indian Affairs: to hold hearings to examine the July 2, 2002 Report of the Department of the Interior to Congress on historical accounting of Individual Indian Money Accounts, 10 a.m., SR-485.

Select Committee on Intelligence: to hold joint closed hearings with the House Permanent Select Committee on Intelligence to examine events surrounding September 11, 2001, 10 a.m., S-407, Capitol.

Committee on the Judiciary: to hold oversight hearings to examine the Department of Justice, 10 a.m., SD-226.

House

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled "Examining Prescription Drug Reimportation: a Review of a Proposal to Allow Third Parties to Reimport Prescription Drugs," 1 p.m., 2123 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled "The U.S. National Climate Change Assessment: Do the Climate Models Project a Useful Picture of Regional Climate?" 9:30 a.m., 2322 Rayburn.

Committee on Financial Services, Subcommittee on International Monetary Policy and Trade, hearing on the expected authorization requests on the U.S. participation in the World Bank-International Development Association and the African Development Fund, 1:30 p.m., 2128 Rayburn.

Committee on Government Reform, hearing on "Diet, Physical Activity, and Dietary Supplements—the Scientific Basis for Improving Health, Saving Money, and Preserving Personal Choice," 10 a.m., 2154 Rayburn.

Committee on International Relations, hearing on Loose Nukes, Biological Terrorism, and Chemical Warfare: Using Russian Debt to Enhance Security, 10:45 a.m., 2172 Rayburn.

Subcommittee on International Operations and Human Rights, to mark up the following measures: H. Con. Res. 349, calling for an end to the sexual exploitation of refugees; and H. Con. Res. 351, expressing the sense of Congress that the United States should condemn the practice of execution by stoning as a gross violation of human rights, 1 p.m., 2255 Rayburn.

Committee on Resources, Subcommittee on Energy and Mineral Resources, hearing on H.R. 5156, to amend the Outer Continental Shelf Lands Act to protect the economic and land use interests of the Federal Government in the management of outer continental shelf lands for energy-related and certain other purposes, 2 p.m., 1334 Longworth.

Subcommittee on Fisheries Conservation, Wildlife and Oceans, to mark up H.R. 4781, Marine Mammal Protection Act Amendments of 2002, 2 p.m., 1324 Longworth.

Subcommittee on Forests, and Forests Health, the Subcommittee on National Parks, Recreation and Public Lands, and the Subcommittee on Fisheries Conservation and Oceans, joint hearing on the following bills: H.R. 2386, Outfitters Policy Act of 2002; H.R. 1811, PILT and Refuge Revenue Sharing Permanent Funding Act; and H.R. 5081, Property Tax Endowment Act of 2002; 10 a.m., 1334 Longworth.

Subcommittee on Forests and Forest Health, hearing on the following: a measure to direct the Secretary of Agriculture to convey real property in the Dixie National Forest in the State of Utah; and H.R. 5032, to authorize the Secretary of Agriculture to convey National Forest System lands in the Mendocino National Forest, California, to authorize the use of the proceeds from such conveyances for National Forest purposes, 10 a.m., 1334 Longworth.

Subcommittee on Water and Power, hearing and mark-up of the following bills: H.R. 4910, to authorize the Secretary of the Interior to revise a repayment contract

with the Tom Green County Water Control and Improvement District No. 1, San Angelo project, Texas; and H.R. 5123, to address certain matter related to Colorado River water management and the Salton Sea by providing funding for habitat enhancement projects at the Salton Sea, 10 a.m., 1324 Longworth.

Committee on Science, Subcommittee on Energy, hearing on Future Direction of the Department of Energy's Office of Science, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit, oversight hearing on Transportation Solutions in a Community Context: the Need for Better Transportation Systems for Everyone, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Benefits, to continue hearings on the following bills: H.R.

5111, Servicemember's Civil Relief Act; and H.R. 4017, Soldiers' and Sailors' Civil Relief Equity Act, 10 a.m., 334 Cannon.

Committee on Ways and Means, to mark up the following bills: the Back to School Tax Relief Act of 2002; and H.R. 4889, Patient Safety Improvement Act of 2002, 2 p.m., 1100 Longworth.

Subcommittee on Human Resources, hearing on fraud and abuse in the Supplemental Security Income (SSI) program, 10:30 a.m., B-318 Rayburn.

Joint Meetings

Joint Meetings: Senate Select Committee on Intelligence, to hold joint closed hearings with the House Permanent Select Committee on Intelligence to examine events surrounding September 11, 2001, 10 a.m., S-407, Capitol.

Next Meeting of the SENATE

9:30 a.m., Thursday, July 25

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, July 25

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will continue consideration of S. 812, Greater Access to Affordable Pharmaceuticals Act, with 1 hour of debate in relation to the motion to waive section 205 of H. Con. Res. 290, 2001 Congressional Budget Resolution, with respect to the emergency designation in Section C of Rockefeller Amendment No. 4316 (to Amendment No. 4299); to be followed by a vote on the motion to waive.

House Chamber

Program for Thursday: Consideration of H.R. 5005, Homeland Security Bill (subject to a rule) and Consideration of the Conference report on H.R. 3763, Corporate and Auditing Accountability, Responsibility, and Transparency Act (unanimous consent).

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